

104
ADMINISTRATION ACTIONS AND POLITICAL
MURDERS IN HAITI: PART II

Y 4. IN 8/16:H 12/5/PT. 2

Administration Actions and Political...

HEARING

BEFORE THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

SEPTEMBER 27, 1996

Printed for the use of the Committee on International Relations



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ADMINISTRATION ACTIONS AND POLITICAL MURDERS IN HAITI: PART II

FRIDAY, SEPTEMBER 27, 1996

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:44 a.m., in room 2172, Rayburn House Office Building, Washington, DC, the Honorable Benjamin A. Gilman, chairman of the committee, presiding.

Chairman GILMAN. The Committee on International Relations will come to order.

Two years ago this week, 20,000 American troops left their homes for Haiti to restore constitutional order and to throw out a regime that was murdering its political opponents.

Since then the Clinton administration has spent more than \$2 billion to support a government that has tolerated thugs who murder its political opponents.

I supported the resolution of the constitutional order in Haiti. That support was betrayed by the Administration when it kept Congress in the dark about political murders by the very government we returned to power.

Many of those murders were committed in 1995, while our troops were still in Haiti as peacekeepers. Our government has information linking these killings to members of Haiti's Presidential Security Unit, which was trained by our own government.

One of the most shocking murders was the March 28, 1995 shooting in broad daylight of Mirielle Bertin, a prominent opponent of then President Jean-Bertrand Aristide.

Two dozen FBI agents were deployed to Haiti to help investigate that shooting, but by August 1995, our embassy had concluded that the Aristide Government was stonewalling the FBI. Even as the FBI was packing up to leave Haiti in frustration, an Administration official told our Western Hemisphere Subcommittee of this committee on October 12th that the investigation was continuing. And within a few days, the last FBI agent had left Haiti in frustration.

The Administration has been aware since early 1995 that death squads were operating under the direction of top security aids to President Aristide.

The Administration privately pressed Aristide to dismiss suspected assassins in his security unit, but he refused to do so, although some were dismissed by President René Preval after he took office in February 1996. Their violence got out of hand just last month.

But, despite some ten hearings and briefings before this committee on Haiti during 1995, the Administration failed to inform us until January 1996 that it was aware of these death squads, which began a year earlier.

After two leading opponents of President Preval were slain on August 20 of this year, the Administration then rushed 46 armed agents of our Diplomatic Security Service to Haiti to protect President Preval from his own U.S.-trained bodyguards and to oust members of his palace guard who are linked to a series of recent murders.

The Administration has claimed Haiti as a foreign policy success. Yet, on the very weekend it was preparing to send cruise missiles against Iraq, two top members of its foreign policy team—the Deputy Secretary of State and the President's National Security Advisor—were dispatched to Port-au-Prince to negotiate with President Preval.

If Haiti is such the success that it claims to be, why then has the Administration been so reluctant to provide our committee with the information we have sought?

It is interesting that, while the Administration has declassified some 5,847 documents pertaining to Guatemala, it has declassified only 21 pertaining to Haiti. These documents that are here this morning illustrate a stark double standard.

Moreover, the President has made an extraordinary use of his executive privilege to block a careful scrutiny of about 50 essential documents by this committee.

And to those who may say that our investigation is just politics, I would point out that our committee does have an important oversight responsibility to discharge on behalf of the American people.

As a National Security Council official said when releasing the Guatemalan documents last May, and I quote, "We're going to let the chips fall where they may. We just want to get to the facts."

In concluding, I would like to note that we tried hard to work with the Administration over the past year to try to get to the bottom of these troubling issues—issues that should not be minimized because some say conditions were worse before U.S. troops landed in Haiti.

Instead, what we should be asking, after our nation's vast investment in Haiti of over \$2 billion, how many political killings are acceptable?

I, as well as many other of our colleagues, want a democratic government in Haiti to work, and we have been trying to head in that direction. We have long supported that goal. What we cannot accept, nor can our committee accept, is this Administration telling Congress less than the full story about the present situation in Haiti.

I would much prefer to try to work with the Administration to fix current shortcomings than to be told next year that we must support the return of our U.S. troops to Haiti as the only means of preventing the collapse of the government in Port-au-Prince.

I am pleased that we have with us this morning several of our colleagues who have been involved in our work with regard to the Haitian problem. We have with us Congressman Conyers of Michigan; Congressman Tom Foglietta of Pennsylvania; and Congress-

man Joseph Kennedy of Massachusetts. We will proceed to take the testimony of our members and we will start with Mr. Conyers.

[Chairman Gilman's statement appears in the appendix.]

Mr. CONYERS. Thank you, Chairman Gilman, and Ranking Member Hamilton, members of the committee, good morning.

I am delighted to join you at these important hearings. I remember, Mr. Chairman, that you have been one concerned about Haiti and its development for many years, long before you were in fact chairman of this committee, and I know that that interest still continues. We discuss these matters from time to time, whenever we can.

I too have that same concern that you do about the small impoverished country, perhaps the poorest in the Western Hemisphere. And the Committee on the Judiciary has held hearings in connection with related matters of immigration, criminal justice, drug running, and other matters that are particularly within the province of the Committee on the Judiciary.

So I am happy merely to come here and join in these hearings, keeping the hand of cooperation still extended, although it is true we are descending into perhaps the most political season that occurs every 4 years. I think that this hearing will be one that seeks the truth, seeks to understand where we are and what the difficulties are.

Now, may I just contribute a couple of items that have come to my attention that may be of some usefulness in the course of this hearing?

Last year, this country has been working very closely to rebuild Haiti. We would not be here today if it was not for this country. We would not be here today if it was not for the President of the U.S.' decision to intervene in the terrible oppression that was going on and that had driven out the first democratically elected President in the history of Haiti.

And so there has come about a great number of activities. The first is the rebuilding of the country itself from scratch. Anybody ever rebuild a country from scratch before, right from the ground up? No infrastructure, no electricity, no water, no operating government, a military coup had eliminated the government operations in its entirety.

And so we had an enormous job. Our State Department, our Department of Defense, our Department of Commerce have all weighed in with other countries' help, of course, to help move this country out of the incredible posture of destitution and poverty that was suffering.

And so we have, I think, a right to be proud of what we are doing there. I, for one, as the former chairman of the government oversight committee of the House, the Government Operations Committee, am concerned to make sure that these monies, these programs we bring to Haiti are effectively and efficiently used. And I will join you, Mr. Chairman, in making sure that that in fact happens.

Chairman GILMAN. Thank you, Mr. Conyers.

Mr. CONYERS. The other matter that is critical is the financial systems that are being built up in Haiti. The World Bank, the other banking systems in the country, in the world, that have joined in to financially lift this government forward are important.

And, then, finally, we have had a great deal of elimination of the government agencies and private sector activities that were once commonplace in the Caribbean, and in many other places in the world, and we are now in a process trying to deal with that very important consideration of privatizing, if you will, of many of the government functions that we are working with. And so I join my colleagues here at the table who have worked hard with all of us on these matters, and your witnesses that are coming forward, and I would pledge again my cooperation with you and every member of this committee to see that we can move this country forward with our help and support as effectively as we can.

I thank you very much for the opportunity to appear before you. [The prepared statement of the Honorable John Conyers appears in the appendix.]

Chairman GILMAN. Thank you very much for your statement and your willingness to cooperate. I know you have been in the forefront of this problem for a long period of time, and we are all very much concerned with trying to improve the economy of Haiti so that they can move forward.

Mr. Foglietta.

Mr. FOGLIETTA. Thank you, Mr. Chairman. I want to thank you, Mr. Chairman, for giving me the opportunity to be here before this committee today. I want to thank Ranking Member Hamilton and other members of the committee for the interest you have shown for the Republic of Haiti. I have been to Haiti so often lately that some people have suggested that I should maybe think about moving there. I considered that suggestion until I found that it was really coming from my friend, Dan Burton.

[Laughter.]

Mr. FOGLIETTA. So I thought maybe I had better stay here for awhile.

Now, I was again in Haiti just 2 weeks ago for the fourth time since the return of democracy and freedom to that country, just to observe what is happening there, to observe what progress is being made. I visited with President Preval, former President Aristide, Commerce Minister Germain, and American Ambassador Swing. I talked with people on the streets of Haiti, mothers, fathers, farmers, shopkeepers. I spoke with business leaders, small business leaders, big business leaders, and people who had been in the opposition parties in Haiti.

Without exception, every person I talked to talked about the strides that they have been making toward democracy, and more importantly, toward achieving and attempting to achieve some economic stability.

The unemployment rate of that nation is over 60 percent. They are trying to establish small businesses. They are trying to on the streets just establish vendor systems. They are trying to work through their economy to make their lives better. They talked about the importance of Haiti's partnership with America.

They did not talk about violence. I saw no evidence of any violence occurring. I talked to President Preval. I talked to other members of the community, of opposition party members, and they again said they saw no evidence of any violence. I was assured by everyone that I spoke to that, although there have been some prob-

lems, and there certainly have been some problems with some of the members of the Security Force.

Let me just say parenthetically that my own city of Philadelphia, some 39 members of our police force have been either taken from the force or have been indicted for improprieties, things that occurred within the police force in trying to enforce the laws in the city of Philadelphia.

So certainly there have been some violations by certain members of the Security Force, but I was assured by everyone that I spoke to that stories of death squads sponsored by a political party or by the government had no basis whatsoever in reality.

The leaders and the people of Haiti are thinking really basically about one thing—about economics, and trying to bring their nation back to life; trying to bring their nation back with business and opportunity. They are trying to make their lives better for the people there. They are not thinking about revenge. They are not thinking about retribution.

Thanks to President Clinton's policy toward Haiti each time I am in Haiti I see a country and a people taking its next steps toward democracy, and, more importantly, a democracy which has never known before. I marvel at the commitment of these people to survive. They have survived dictatorships and oppression over the last century, and yet each time I visit Haiti I see the hope in the eyes of the people, the hope that is growing, because the people there and their government is committed to achieving not only democracy, but more importantly, economic progress.

Now, let us not fool ourselves. While Haiti has made some strides, it still has a long, long way to go, and they need our help. They need our assistance in rebuilding that nation. They need our assistance in rebuilding the infrastructure.

As my colleague, Congressman Conyers stated, there is no water system. To walk along the streets of Port-au-Prince and seeing children trying to freshen themselves by playing in pools of sewer water; by seeing young men trying to take a shower under a sewer pipe. I mean, you know, you have to realize that this is not a nation where people are concerned about killing one another. They are concerned about getting jobs. They are concerned about establishing businesses. They are concerned about making their lives better.

And we in this nation should be focusing on how we can further assist them in their steps toward democracy and economic progress. We should be helping them with real economic assistance to make their lives better. I would hope that that would be the kind of a hearing, with all due respect, that this committee should be holding, and would be holding in the very near future.

With that, I would be happy to answer any questions that the committee members have concerning conditions in Haiti that I have seen in my visits there.

I thank you, Mr. Chairman.

Chairman GILMAN. I thank the gentleman from Pennsylvania for his insight and for his testimony.

The gentleman from Massachusetts, Mr. Kennedy.

Mr. KENNEDY. Thank you very much, Mr. Chairman. I very much appreciate your willingness to take some testimony from me

this morning as well as the other Members of Congress who have had a longtime interest in matters pertaining to the development of Haiti.

I was very interested in your opening statement, Mr. Chairman, with regard to this committee's continued concerns about the development of democracy throughout Latin America, in particularly, your citing Guatemala, and other countries in that region.

Just in the last couple of days I have had released to my office from the Pentagon a very interesting document that maybe this committee might take a look at with regard to the School of the Americas, which has been noted now as having developed a torture manual, where we were actually teaching these military representatives from all over Latin America not just how to torture, but how to kill, how to inject drugs into people that they wanted to have talk. They have reference after reference about killing the entire cell, about killing the parents of anyone that they wanted to have come in and speak.

And I think that if you have that kind of interest in human rights—I know you have expressed those interests in terms of Ireland and other countries in the past, Mr. Chairman, then I would very much urge this committee to take a very hard look at that document and what is actually taking place at the School of the Americas that is funded by U.S. taxpayers.

Chairman GILMAN. If the gentleman would yield.

Mr. KENNEDY. I would be happy to.

Chairman GILMAN. Would you be kind enough to make that document available to our committee? We certainly would be interested.

Mr. KENNEDY. I would be happy to, Mr. Chairman.

Chairman GILMAN. Thank you.

Mr. KENNEDY. I will do that right after this committee.

In any event, we are here to discuss Haiti today, Mr. Chairman, and February 7, 1996, the world witnessed the first democratic transition of power in Haiti. President Preval succeeded President Aristide after free and fair elections, and I am happy to say to this committee that I am going to be welcoming President Aristide in just a few hours to the city of Boston, and escorting him throughout the State of Massachusetts, and looking forward to the reception that I know he will have in this country and in Massachusetts later today.

As we know, democracy does not come easily. Our own history teaches us that a heavy price must be paid to secure its blessings. The people of Haiti understand this lesson too. It took Haiti almost two centuries to achieve the democratic dream. During that time the Haitian people suffered through a series of brutal dictatorships whose lack of respect for basic human rights, and the principles of freedom are well documented by this committee as well as other bodies.

Now, there is no doubt that the will of the murderous dictators in Haiti have been replaced by the will of the people expressed in the elections throughout the country. The people of Haiti no longer fear the late night knock on the door from members of a brutal regime that ridicules the principles of human rights.

The Organization of American States, and the Department of State, and Amnesty International agree that the human rights situation in Haiti has improved immeasurably, and President Preval is continuing to take steps to improve this record. There have been allegations by Republicans in the Congress that the Presidential palace in Haiti can be linked to about 20 political killings that have taken place in Haiti since President Aristide was restored to power.

However, I would like to point out that during the 3 years of the coup regime, which this committee did not investigate, there were over 3,000 political murders that took place.

President Preval has taken swift and decisive actions to deal with the rogue elements within the Presidential Security Unit. Over the course of the past year, he has dismissed members of the Presidential Security Unit, and police and individuals allegedly involved in human rights abuses. After the most recent incident on August 20, Preval immediately dismissed suspect members of the Presidential Security Unit and two dozen members of the State Department's Diplomatic Security Force were dispatched to Haiti to aid President Preval with security measures.

President Preval has also taken significant and dramatic measures to address the pressing economic issues in Haiti. Just last night the Haitian senate passed landmark privatization legislation. This bill, passed earlier by the low chamber of Parliament, will soon be signed into law by President Preval. It contains the same language that the IMF and the World Bank were urging Haiti to adopt.

In addition, this week the Haitian Government successfully addressed the issue of civil service reform. With the privatization language and the civil service reform approved, approximately \$170 million worth of international assistance, \$15 million from the United States, will be released to Haiti, helping to build its economy and to grow economically in the future.

Mr. Chairman, there is no doubt in my mind that the Haitian economy will grow. Since President Preval took over Haiti, it has been run as a cash economy, spending only revenues, not borrowing money on the international market. Its austere fiscal and monetary policies are indicative of the government's commitment to improving its economy.

I had a brief conversation with Ambassador Swing, who I think shows great faith in being here this morning, who tells me that as a result of the imposition of sanctions on that country, the number of jobs in the textile operations alone went from 35,000 jobs down to zero, and that they have been able to build back up to over 19,000 jobs just in the last several months.

Haiti continues to face a number of significant challenges. In the economic sector, it must start the process of privatization while addressing high unemployment and inflation. It must institutionalize the Haitian National Police, and it must reform its judicial system.

President Preval has begun to address all of these issues. He has clearly shown his intolerance for human rights violations with his swift dismissal of rogue palace security guards. He will sign the privatization bill into law, and his reform efforts will continue in the judicial system.

I believe that the United States has a special duty to ensure that this new and still fragile democracy is given the chance it deserves to flourish, and I am proud that the United States has played a major role in the success that we have witnessed so far in Haiti. We should do nothing which threatens to roll back the gains of the last few years.

Thank you very much, Mr. Chairman.

[Representative Kennedy's statement appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Kennedy. I want to thank our colleagues for taking the time to express their thoughts with regard to the future of Haiti and where we should be going, and we welcome your working with the committee as we try to address these problems.

Mr. CONYERS. Thank you, Mr. Chairman.

Would it meet your pleasure if any of us, pending our schedules, would be able to join the members?

Chairman GILMAN. We would welcome having you. You are welcome to come and join us up here.

Mr. CONYERS. Thank you very much.

Chairman GILMAN. I know a number of our members have some opening statements. To save some time, we will get right into those.

Our ranking minority member, Mr. Hamilton.

Mr. HAMILTON. Mr. Chairman, thank you.

I think all of us recognize that Haiti is an important subject, and I want to commend you for the oversight you have given to this issue. Haiti, of course, is a very fragile democracy and events have to be very carefully followed there.

I do want to raise three concerns I have about this particular hearing.

First, I am concerned about the chairman's recent statements about the Administration policy on Haiti. The chairman has said this morning and in previous instances that there has been an effort on the part of the Administration to conceal, to provide less than the full story, failure to inform with respect to the murders that have occurred there, and the political killings.

I respect my friend, the chairman, of course, but I really do not believe that the Administration has tried to conceal any murders. Indeed, I do not think there is any way to conceal them. They are, of course, regrettable events. They happened in broad daylight, and they have been reported by the newspapers for nearly 2 years.

It is my impression that the Administration has pressed the Haitian Government to investigate these murders, and to bring the perpetrators to justice. We all know the inadequacy of the legal system in Haiti today.

Last year the Administration dispatched the FBI to help investigate the murders, and last month it was the Administration that went to President Preval with information about the political murders that took place.

I do not find here any pattern of concealment. I do not find any effort to conceal these activities, or these atrocities. To the extent that justice has not occurred in Haiti, it cannot, it seems to me, fairly be put on the Administration's door step. And I simply do not

understand the charges of Administration concealment and cover-ups when it seems to me the facts do not indicate that.

Second, let me comment on the question of the subpoenas. I am concerned that the chairman suggested last week that the Administration was hiding documents that would expose this coverup, and a number of statements were made to that effect.

Let me say I find no basis in fact for that statement. The Administration has provided access to over 1,000 documents. The committee staff has examined them. To the best of my knowledge, they have found no evidence of coverup of political killings.

The remaining disagreement, and the reason, as I understand it, for the chairman's subpoena concerns the terms of access to the remaining documents which number fewer than 50. As I understand it, the only question outstanding between the committee and the Administration is whether access to the most sensitive internal deliberative Presidential documents will be given to staff, as the chairman prefers, or will be restricted to members with two staff members present, which is the White House position.

In other words, the difference really is whether the most sensitive documents will be given to staff or to staff and members.

Now, it is my understanding that Chairman Combet, in the Intelligence Committee, and Chairman Hyde, in the Judiciary Committee, have been able to work out similar document requests with the White House on a mutually acceptable basis, and I would hope that this committee will still be able to achieve that.

The chairman, of course, is right that it is important to have access to these documents to the fullest extent possible, and I hope that we can find a way to reach an agreement with the White House. Had an agreement been reached, the committee would already have gained access to all of the information in the documents.

I want to know what is in those documents, just as the chairman does, but the route chosen by the committee, the subpoena route, makes it less likely we are going to get that information. What we are likely to get is a long partisan battle and a long court fight.

Finally, the third point is that I know that the decision to intervene in Haiti now some 2 years ago was a controversial decision. There were legitimate differences of opinion about that decision, but once the intervention occurred it seems to me that it is in the interest of all Americans and of this committee to try to make the policy work. It is not in the interest of this country that the policy fail.

I think we have to acknowledge, as our witnesses here have done this morning, and I thank them for it because they have done it in a very effective way, that a lot of progress has been made in Haiti. Haiti has held democratic elections for Parliament and for President. A corrupt regime has been removed. The flow of desperate people toward Florida has been stopped. A freely elected President Preval has been chosen, and he has launched upon a path of reform.

Political violence, which is the subject of this hearing, is down significantly, very significantly. We will hear about that in a few moments. Some two dozen political murders in the last 2 years

compared, I believe, with several thousand killings under the military regime.

Under legislation recently passed by the Haitian Parliament, privatization of the economy is set to begin. In short then, democracy is being given a chance in Haiti, in a place where there was none.

None of us want Haiti to revert to conditions that existed before the intervention, but sometimes I wonder whether we want U.S. policy to succeed. This committee has blocked millions of dollars in funds designated for police training and held up funds for economic assistance. From my perspective, these funds are desperately needed to help build the institutions of democracy in Haiti.

I think we are spending too much time in search of coverups that do not exist and too little time in pursuit of constructive answers to Haiti's problems, which all of us acknowledge are all too real. Our responsibility here is to try to make this policy succeed, and I hope this and subsequent efforts and hearings will be on that basis.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Hamilton.

And I just would like to note, your summary of the situation with regard to the documents is quite accurate with one exception, and the Administration was going to brief us on the documents, and not allow either Mr. Hamilton or myself to personally review the documents. We took issue with that, and would just have a briefing. In my discussions with the chairman of the Intelligence Committee, who is also concerned that it was just a briefing that we are going to get by the White House with regard to the documents without the opportunity to personally review.

Mr. Burton.

Mr. BURTON. Thank you, Your Honor. I have a prepared statement that I will submit for the record.

Chairman GILMAN. The statement will be made part of the record.

[Representative Burton's statement appears in the appendix.]

Mr. BURTON. I believe that the Administration is trying to obfuscate and cover up part of the issues. We had a hearing before my subcommittee, at which Mr. Hamilton was not in attendance, where Ambassador Dobbins lied to us about the knowledge he had regarding the assassination of Ms. Bertin. We had an FBI witness, a Department of Defense witness, and Mr. Dobbins there at the hearing. We asked all of them questions.

It was indicated very clearly that Mr. Dobbins knew that there was going to be an attempt on Ms. Bertin's life. He did not tell her and he did not tell the family. The U.S. Embassy in Haiti knew about it, and they kept it from the U.S. Congress, but they did not keep it from the Administration. They were talking to people at the State Department about it. But there was a deliberate attempt to not only keep it from the Congress, but to mislead the Congress, and they deliberately lied to us about it.

And let me just read to you a few things. The documents that we have seen which we want released show a concerted effort to downplay the problem. For example, as I said, in October the State Department's Haiti coordinator, James Dobbins, did not tell our Subcommittee on the Western Hemisphere, under direct question-

ing, that the FBI had discovered a link between the killings and ties to the Aristide key advisors.

Ms. Bertin could have been saved. All they had to do was tell her family. Instead, she was in downtown Port-au-Prince and assassins came up on both sides of her car and killed her. She never knew about the plot. Her family never knew about it. But we knew about it in advance. And do you know who we told? We did not tell Ms. Bertin or her family. We told the Aristide Government, and we believe that they were involved in killing Ms. Bertin.

Ambassador Dobbins at one point actually counsels Secretary Talbott to describe these killings, which he knew to be politically motivated, as revenge motivated, and having nothing to do with current Haitian politics. That was a deliberate lie, and he knew it when he appeared before my subcommittee.

The many briefings and testimony on the elections in Haiti did not mention that we had information that hit squads were targeting political opponents of the Haitian Government. Statements to the media tended to deny this pattern of political killings. On August 7, a White House spokesman said flatly, and I quote, "I am not aware of any evidence to corroborate the claim that some 80 political murders have been perpetrated against anti-Aristide individuals."

What Mr. McCurry was not told, or did not say, was that about two dozen murders, a series of assassinations committed by our client government was no less troubling. Why didn't the Administration spokesman just acknowledge the problem instead of downplaying or muddling the issue?

It is true that several media reports merged last fall on this hit squad phenomenon, but it is important to note that the Administration officials pointedly and publicly challenged the accuracy of these reports. They literally tried to mislead and cover it up.

The declassified documents that we have even show that they knew these murders were politically motivated, but explicitly plotted to call them something else—"revenge motivated", and "not related to current Haitian politics".

In an August 7, 1995 column by Robert Novak, far from acknowledging this problem, Ambassador Swing said, and I quote, "The only political killing anybody talks about is the Bertin murder, but even that has not been proved. There has been no proof of a political murder. Even if you counted one or two of them as a political murder, the number is very small."

According to documents the committee staff has received, by the time Ambassador Swing was making that statement he was privately telling his superiors in Washington about for two dozen killings, a political motive was considered likely. So it is unfair for these same people who are systematically discrediting these media reports to turn around and say that this committee should have known about this problem by reading the newspapers. When we have a State Department, we should not have to count on Bob Novak or other columnists for straight answers.

I am chairman of the Western Hemisphere Subcommittee, and I have had people from the State Department before the subcommittee and questioned them. And I can tell you that anybody who sat in on those hearings and does not think that we were lied to just

was not paying attention. We were. I believe there was a deliberate attempt to cover up, and I find that very, very troubling.

I think that since we represent the people of the United States of America, we deserve for the Administration to come clean and be truthful with us. But when they lie to us—I wish I had had Mr. Dobbins under oath at the time, he would have been in contempt of Congress.

Mr. GEJDENSON. Would the gentleman yield?

Mr. BURTON. Yes.

Mr. GEJDENSON. He does not have to be under oath. It is a felony, I think, under the present House rules. If you can prove he was lying to you, then you have every legal right to pursue that.

Mr. BURTON. No, if I might reclaim my time, let me just say to my local friend that there is an IG investigation going on right now on that very subject, and we are going to continue to see that it is pursued. The bottom line is that I believe that Mr. Hamilton is in error. I believe there has been a deliberate attempt to try to cover this up. It is true that there are fewer political killings in Haiti now than before. There were a couple thousand. Now there are only 25 or 30. But we helped get rid of the other government, and now we have put in one that is killing fewer. Nevertheless, there is political motivation behind a lot of them.

And let me say this. I find it troubling that the new President of the country has people trained by our State Department, and his security guards possibly implicated in political assassinations, and now he is so unsure of his own security that we had to send 40 people to Haiti trained by the State Department and private contractors to protect the President in his own country.

Mr. KENNEDY. Will the gentleman yield?

Mr. BURTON. I do not have time right now. I see that I am just about out of time, Mr. Kennedy. I would like to comment on something you said, too. I think since Mr. Hamilton had a little extra time, I will comment on that.

There are troubling things that have been doing on, and I think this committee is justified in really pursuing this diligently.

Let me say one more thing, Mr. Chairman. Mr. Kennedy in his statement talked about the security guards. U.S.-trained palace guards are suspected in two August 1996 political murders. Administration officials have information implicating members of the President Preval palace guard unit in the August 20, 1996 political murders and widespread harassment of government opponents.

Members of President Aristide's handpicked palace guards, who were trained by the Department of State in 1994 and 1995, have been implicated in political murders in 1995 and 1996.

Mr. KENNEDY. Would the gentleman yield?

Mr. BURTON. The U.S. Government has provided over \$5.5 million in support of this unit since 1994, and that, again, is a troubling situation.

Mr. Chairman, I would be happy to discuss this with my colleagues when I have some more time. I am not avoiding it. I am just out of time.

Chairman GILMAN. The gentleman's time has expired.

Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman.

Through the years I have become genuinely fond of Mr. Burton.
[Laughter.]

Mr. BURTON. But.

Mr. GEJDENSON. But the irresponsible use of language here today in charges against the Administration is unconscionable. This Administration has had, as any Administration, successes and failures in foreign policy. Haiti is clearly a success, as is the former Yugoslavian situation, especially when compared to the policy of the previous Administration.

So what we have here is we are back to the Walker-Nussell memo. The Walker-Nussell memo told the committees controlled by the Republicans to use their resources to take the attack on President Clinton for political advantage.

Now, it is clear to me that the effort here will not succeed.

Chairman GILMAN. Will the gentleman yield?

Mr. GEJDENSON. I will not yield.

Chairman GILMAN. This investigation was started long before the Nussell-Walker memo.

Mr. GEJDENSON. I will not yield, Mr. Chairman.

The committee continues its assault on the Administration's successes in, I think, the unrealistic hope that somehow this will take away from the President truly remarkable successes where he had shown incredible leadership, and at times he almost singlehandedly led in this area.

There was not broad support in the Congress for putting troops in Haiti. Everybody in this room knows the danger politically and to our military when you put them in harm's way. One hand grenade in a tent and the American Congress and public would have demanded the removal of our troops in Haiti long before they had a chance to establish peace.

But the President took the risk because he knew how important it was to the United States, to Haiti in this hemisphere.

Now, we are going to go through another one of these hearings where we try to take what is clearly one of the greatest achievements in the Western Hemisphere in recent times, a government that since the 1800's had not seen a democratic change of office holders, having a free and fair election with a change of government through the electoral process, not through assassination, not through military coup, but through the electoral process.

Is the Government of Haiti perfect today? I would venture to say that no one in the Administration would make that argument. But it does not take a genius in political science to figure out that we have come an astounding distance from the days of death squads and the Tonton Macoutes walking around machine-gunning people by the thousand, as Mr. Burton points out, a time when hundreds and thousands of Haitians risked their lives to get to the United States, to a point where there is some hope in this very poor country in this hemisphere.

Now, I think we ought to make every effort, no matter how few the killings are, to find those who are involved in the killings, hold them responsible and take them to trial. But that is not what this hearing is all about. This hearing is about trying to deny the reality of what has happened in Haiti, that led by a courageous President we have made incredible progress, and the Administra-

tion is ready and willing to give the chairman and the ranking member all the information they have, well beyond what any previous Administration would provide to Congress.

This Administration has stated clearly that of all the documents this committee has demanded, only 47 have Presidential privilege. The courts have, I think, in the past sustained Presidents when exercising this privilege, and they could exercise it completely saying those are privileged documents, and we will not tell the Congress any of their content.

But, no, this Administration has gone further. They have said they will take the ranking member, Mr. Hamilton, and Mr. Gilman, and they will brief them on these documents. It seems to me that before the chairman can come here and criticize the Administration for its failure to be forthcoming, he at least ought to give the Administration the time to brief them.

Then if they are unsatisfied in the quality of information or the quantity of information, or even then if they have a hunch that there is more there, they might be able to make additional arguments. But to come here today having had the Administration give this committee 99 point probably 9 percent of the documents they requested, and offer to even brief them on the remaining 47 documents, and then to try to continue to use inflammatory language that Mr. Burton used, I think, again, was highly irresponsible, and I am sure if we had time he would not mean some of the things he said.

Mr. BURTON. I meant everything I said.

Mr. GEJDENSON. I am not yielding any of my time.

Mr. BURTON. I meant everything I said.

Mr. GEJDENSON. But the sad business of today is that we are in political season and the attack seems to be unending. The reality is so far the policy in Haiti has been a tremendous success. No one has argued it is perfect. The Administration is willing to come forward with the documents, but politics apparently prevents the chairman of the committee from accepting that offer.

Chairman GILMAN. The gentleman's time has expired.

Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman.

If I am correct, I think this is the seventh hearing of this full committee on Haiti, and, of course, not counting the hearings of the Intelligence Committee, the——

Chairman GILMAN. If the gentleman will yield, this is the third hearing on Haiti.

Mr. Payne. Well, there have been seven according to my knowledge. Maybe a couple of them were Mr.——

Chairman GILMAN. I am referring to the full committee, Mr. Payne.

Mr. PAYNE. OK, only three, a total of seven.

But let me tell you that there have been 34 Administration officials who testified 147 times to discuss Haiti, very, very important. If we took the dollar amount and added up what these officials could have been doing somewhere else, we probably would come up with an enormous sum.

After 2 years of this inquiry, this committee has still yet not found a pattern of persistent human rights violations, or any thread running through the hearings.

I think we have forgotten that in 1990 Haiti experienced a coup d'etat, 16,000 boat people headed to the shores of the United States, hundreds were drowned or eaten by sharks, heading toward the U.S. shore, 4,000 people were murdered from 1991 to 1994, U.S. troops arrived there and we heard many of your colleagues said not one ounce of American blood should be shed there, and thank God, there was not once ounce of American blood shed there.

But now we today are kind of looking at two isolated cases. We are going over it again. I think we should dedicate some of the time to the real problems of Haiti. You know, I would like to submit a copy of a report for the record that deals with the fact that 60 percent of the 7 million people there are jobless. President Preval cannot pay street sweepers or nurses to take care of the sick, and the civil servants are going without pay. As a result, yes, people are disgruntled and upset.

Yet, we are still debating this question of two killings. I have not heard the committee bring up Emanuel Constant from FRAP who was trained and paid for by our CIA, the same CIA that Mr. Kennedy talked about having a manual of torture.

But let me tell you something else that we have been able to find out about our CIA, that they have a comic style "Manuel de Combate Polo Liberta". Now, translated, it means "Freedom and Liberty". But what that was something prepared by the CIA to be distributed in Nicaragua, which taught people how to disrupt economic activity and so forth. But in our recent meetings with CIA Director Neutche, we want to take a look at this manual because we believe that in it was possibly some plan on how crack cocaine should be distributed in the black communities, as we heard recently about the alleged cooperation between the CIA and the whole question of crack cocaine.

So, we have a lot of very serious situations going on in this country and around the world, and we are spending all of our time here talking about two people.

And no one here would say that things are all going right. Haiti has many, many problems. I have been there many times myself, and I have seen the problems also. But much of what we hear—as a matter of fact, it is kind of ironic, and will conclude here, this being the last day of the 104th Congress, hopefully, here we are dealing with an issue that is of some importance. But if it were up to me, if I were the chairman of this committee, I would not be spending the time here today talking about this case of Haiti when our allies in the Middle East, where I am reading the first page of the New York Times, 39 Palestinians killed yesterday, 11 Israelis in the Gaza Strip that have died with new violence erupting, to me this is important. These are our allies, Egypt and Israel, this is where we are spending close to \$6 billion annually on foreign aid, and I think that it is certainly well spent, where we have seen the possibility of the David Accords and the whole peace process falling apart before us. It's like Nero fiddling while Rome burnt. We are here talking about two people that we think may have had a political assassination when this day, in my opinion, should be

spent on seeing how we can bring out interests in the Middle East, our friends in Israel, the Palestinian people together to see how we can work out some solution to this very serious problem.

So I just think that this hearing is misdirected, the time is misused, and I think that this is an opportunity that we are missing by trying to make some political hay as we leave here.

Chairman GILMAN. The gentleman's time has expired. Thank you, Mr. Payne.

Mr. Moran.

Mr. MORAN. Thank you, Mr. Chairman.

While I thank you for giving me the microphone, I do not think you are going to be particularly pleased with what I have to say because I believe very strongly that this hearing today is not a constructive attempt to address Haiti's problems. It is one last parting political shot at the President and his State Department before this Congress is concluded.

In fact, of all the abuses of power that have occurred since the Gingrich Congress has taken over the committee structure, this committee has been one of the most abusive and least constructive. We have nothing of consequence to show for the last 2 years. This committee has used its bully pulpit to bully Administration witnesses time and time again. Of all the crises and concerns around the world the President has had to address them with virtually no support from the Republicans on this committee.

In fact, Democrats, and even moderate Republicans, that are professionals in foreign policy can seem to do no right from the point of view of this committee. Even world leaders that are working for peace and prosperity in these countries are invariably unacceptable to many of the members of this committee. The only people that seem to escape criticism are right wing dictators and bigots around the world.

With regard to Haiti, it did not seem to bother the Republican majority when thousands of people were being slaughtered and tens of thousands of people were flooding into Florida. All we could do was criticize.

The fact is that the Haitian policy has been a success. It has been an unmitigated success. We have democracy in Haiti today. We do not have any flood of refugees. We have some people who in fact have been suspended from President Preval's security force. He did not hire them. They may or may not have been involved in assassinations. But it is being addressed, and the State Department witnesses are going to tell us how they have responded in a constructive fashion.

Mr. Payne is absolutely right, there are so many more important issues that we need to be addressing. And today the Middle East is the most important. And what are we doing here? We are having a hearing so that we can take one last parting political shot at an administration that is probably the most underrated administration in terms of its foreign policy successes of any in the last several years.

So I am disappointed that with all of the things that we could be doing, we are spending our time on this.

And with that, I will yield back the balance of my time.

Chairman GILMAN. I thank the gentleman for his statement.

Mr. Hastings.

Mr. HASTINGS. Mr. Chairman, thank you very much.

Mr. Chairman, my frustration level exceeds any that I have had since I have been here in Congress, and I regret very much that my colleague, Mr. Burton, is not in the room because a few of my comments may be directed to him specifically.

I think Dan is beyond the point of irresponsibility as a policy-maker when he issues spurious nonfactual, irresponsible, speculative directives, and calls people unabashedly liars without their having been any underpinning to go on that other than his useless determination.

I am frightened by that not only as it pertains to Haiti, but as it pertains to this government. What we do here—somebody answer for me, please, at some point what would be gained by covering up murder? And what I heard Dan Burton say is that the Clinton administration, if not indeed Bill Clinton and persons who are functionaries, actually participated in covering up a murder. That is a damn crime.

Mr. BURTON. Would the gentleman yield?

Mr. HASTINGS. No, I will not yield.

Mr. BURTON. Well, you were referring to me and you are saying that I am in error.

Mr. HASTINGS. Excuse me.

Mr. BURTON. I am not in error.

Mr. HASTINGS. Mr. Chairman, I will not yield.

Mr. BURTON. Well, then I will speak later, Mr. Chairman.

Mr. HASTINGS. That is a crime in and of itself. And if you have proof of that, you owe it to this country and to all of us to come forward with that information, and not come in here with that kind of speculative offer.

Mr. BURTON. Would the gentleman yield?

We think we have that proof.

Mr. HASTINGS. Mr. Chairman, if I may be permitted to continue.

Mr. Chairman, you said that we wasted \$2 billion in Haiti since the return of President Aristide. I want to—

Chairman GILMAN. Will the gentleman yield?

That is not a statement made by the Chair. I said we invested \$2 billion—

Mr. HASTINGS. I gather that you—

Chairman GILMAN [continuing]. And several millions since then.

Mr. HASTINGS. I gather that yielding is something that is determined when one wishes to speak. I do not yield.

You spoke in terms of the amount of money spent, Mr. Chairman. I want to remind you that a major portion of those expenditures vis-a-vis the crisis in Haiti pertained to the interdiction of almost 100,000 Haitians fleeing the region's most brutal military dictatorship. And the testimony that we will hear in a few minutes, and we are probably better advised, or to hear from Ambassador Swing and Mr. Boswell and Mr. Sullivan, who have a giant amount of information more than all of us on this committee combined with reference to these matters.

But in that testimony what you will hear is that \$400 million alone in 1994 was spent in emigrant outflow, and that in the last

3 months I can attest to it, I live in Florida, of the amount of refugees that have come in in emigrant outflow has been zero.

Let me make it very clear here. If I understand the chairman, we here discharging our oversight responsibilities, which I do not take lightly, and I respect the chairman and know that he does not. But obviously this is not something that is going to lead to the furthering of legislation, and it puzzles me.

I think the thing we should be addressing, and I would alert Mr. Sullivan when he gets ready to testify, that in calling for this hearing and issuing his subpoena, Chairman Gilman on September 19 leveled a series of serious charges about the Clinton administration, and raised a number of questions.

I would like to go through those when we get an opportunity and ask the Administration to respond. For example, Chairman Gilman stated, "The American people have the right to know whether U.S. officials have tried to conceal some two dozen murders in the hope of sparing President Clinton political embarrassment. Regrettably, the cooperation necessary to meet its oversight in this area simply has not been forthcoming."

I want to know from Mr. Sullivan can he give us a sense of the cooperation that has been ongoing in this investigation, how many requests have been from the Congress for documents related to Haiti? Is it correct that the Haiti Working Group at the State Department had to acquire the services of additional staff just to respond to the document inquiries from the Congress? Do you have any idea how many hours the working group has dedicated to fulfilling these requests just over the last year? How many of these requests were bipartisan? How many were from the majority? How many were from the minority? How many requests were submitted by this Committee? What is the status of these requests? How many documents have been made available to Congress so far? How many documents have not been made available? What is the Administration's position on the documents that have not been made available? And among all these requests, did the Administration ever decide to withhold responsive documents from Congress to make them completely unavailable for review or briefing?

I want to make it very clear today to Dan Burton and Ben Gilman I am just as good a politician as either one of them. This is pure unadulterated political posturing and senseless and shameless.

Mr. BURTON. Mr. Chairman. Mr. Chairman, I ask for a point of personal privilege.

Chairman GILMAN. The gentleman is granted a statement of personal privilege.

Mr. BURTON. I said that Mr. Dobbins lied to my subcommittee. I stand by that statement. I will now prove that he lied to my subcommittee, since the gentleman from Florida implied that I was stretching the truth and trying to make politically motivated statements.

Now, let me read to you the record, my colleague from Florida, and I hope you will pay particular attention. On October 12 at a hearing before my subcommittee these are the questions and answers put to Mr. Dobbins:

"Thank you very much. Let me ask you a couple of questions. You mentioned, Mr. Ambassador, that the FBI was assisting in investigating some of these alleged political assassinations, including the killing of Ms. Mirielle Bertin."

Mr. Dobbins said, "Yes."

I said, "She was gunned down in the middle of Port-au-Prince on the main street as I understand."

Mr. Dobbins said, "Right."

I said, "Because of a traffic jam. Have they found anything about that yet?"

Mr. Dobbins, and listen to this, "The FBI has not briefed me, or as far as I know, anyone else from the Administration on their findings. They are still conducting their investigation, and as far as I know have not come to a conclusion."

Now, on January 4, 1996, 3 months later, I spoke to the FBI representative who was down there, who said, "We met regularly in Port-au-Prince with representatives of the Embassy, the U.S. military, and other relevant U.S. agencies in order to obtain assistance and advice, and generally to apprise them of the course of our investigations. The discussion included investigative strategies, problems experienced, and certain investigative information developed on the murders."

And what Mr. Dobbins said, "The FBI has not briefed me," yet he was in on those briefings.

So he lied to this committee, and there is no doubt about it.

Mr. PAYNE. Would the gentleman yield on that? Mr. Burton, will you yield?

Mr. BURTON. I would be happy to yield.

Mr. PAYNE. You indicated that Mr. Dobbins said that he was not briefed. I thought, and I sat here and listened to him, and he said that the FBI said that there was no conclusion. Your question was did you conclude that there was some kind of complicity, there was some kind of involvement—

Mr. BURTON. If I might be—

Mr. PAYNE. No, I am telling you. And he said that I was being briefed—

Mr. BURTON. One more time let us read the record. Let us read the record.

Mr. PAYNE. All right, let us read the record.

Mr. BURTON. The record said, "The FBI has not briefed me or anyone else in the Administration on their findings." The FBI says 3 months later—

Mr. PAYNE. What about—yes, that is my question.

Mr. BURTON. They did brief him.

Mr. PAYNE. What are the findings? The findings you conclude? I am not a lawyer, but when you have findings that is what happens when you come to a conclusion. And he made it clear that they were being briefed, they talked about it, but there were no conclusive findings. When you find them, then you go to indict.

Tell me where the findings are. The FBI never gave him any findings. They are still investigating.

Mr. BURTON. Well, let me read the rest of it. I will read some more to you.

Now, here is Chairman Burton again, "So now they, the FBI investigators, really do not have any leads that you know of?"

Mr. Dobbins: "Oh, I don't think that's the case. I think they, shortly after they began their investigation, there was one arrest of somebody who they believed could have been implicated." That person who was later identified by Mr. Dobbins as Big Claud LeCroix remains in prison.

In this volunteer response, Mr. Dobbins set aside his excuse of not being briefed by the FBI and referred only to the obscure LeCroix arrest.

However, on this second opportunity during his October 12 testimony, he again failed to mention the far more important details that were pertinent to this question. Before his October 12 testimony, Mr. Dobbins had to have been aware of the Haitian obstacles to the FBI inquiry, the apparent political motivation of the killings in which Aristide's aids were implicated, the FBI's frustrated attempts to interrogate over a dozen Haitian Government officials, and the links between several other killings identified by the FBI.

Chairman GILMAN. Mr. Wynn.

Mr. WYNN. Mr. Chairman, I withdraw my request. I would like to yield to my colleague, Mr. Hastings, who I believe would like to respond.

Mr. HASTINGS. I am still listening to Mr. Burton in an attempt to understand what it is—

Chairman GILMAN. Would the gentleman yield?

Mr. HASTINGS. Yes, I yield.

Chairman GILMAN. We have several witnesses today. Mr. Burton is not the subject of this testimony today. The time is running, and these witnesses have limited time, and I would like to suggest that we get on to the witnesses.

Mr. WYNN. Thank you, Mr. Chairman.

Mr. Chairman, with all due respect, I have to concur with the settlement expressed by my colleagues today. This hearing is in fact beneath the dignity of this committee. This is the third hearing that we have had on this subject, none of which have focused on the successes we have had in Haiti. All three are focusing on an attempt to attack the Administration without any significant basis, and having not come to any significant conclusion that I can observe after three hearings.

With all due respect to you, it is reported in the Washington Post that you indicated that the Administration was involved in a blatant abuse of power to cover up a massive foreign policy failure in Haiti.

I have to say, quite frankly, Mr. Chairman, that this is not a failure in Haiti. Haiti is in fact a great success to this Administration, which is why it appears that the Republicans are insistent upon attacking it.

The fact of the matter is, No. 1, we have restored democracy to Haiti; something that had not been accomplished in years.

Second, we ended the outflow of migration from Haiti, which was costing U.S. citizens \$400 million a year.

And, third, we dramatically reduced the political killings in Haiti from some 300,000—excuse me—from 3,000 between 1991 and

1994 during the coup years to maybe 24, a half dozen or so, a couple dozen or so, at the present time.

So the fact of the matter is there has not been a massive foreign policy failure. It has been a massive foreign policy success which apparently is the reason why it is being attacked.

I said initially that this hearing was beneath this committee's dignity because I concur with my colleague, Mr. Moran. We ought to be talking about the situation in the Middle East rather than nitpicking over the investigation of two palace guards in Haiti. The palace guards have been suspended. The United States has in fact sent additional assistance down to conduct an investigation, and that is as it should be.

But there is no basis for, I think, anyone to conclude that this ought to be the major issue on our foreign policy agenda today, and that is why you heard from my colleagues. We believe that this hearing is purely political and does not really serve the interest of the country.

I, too, would like to hear from the witnesses because I think they can further support the statements that we have made, that there is no basis for this inquiry, there is no massive coverup, and the situation in Haiti, far from being a foreign policy failure, represents a real success for the Clinton administration.

I yield the balance of my time.

Chairman GILMAN. I thank the gentleman for yielding.

If there are no further opening statements, let me say with regard to our committee's oversight responsibilities that no member has taken a more active interest over the years than I have in helping Haitians to turn their country around. I led a bipartisan mission there last spring, accompanied by Mr. Bereuter and others. I think Mr. Payne was with us at that time, and we sent President Clinton a 15-page report with constructive recommendations.

Administration officials have told us that our pressure on cleaning up the police force has actually helped them clean some of those people out who were there appointed politically.

We have also tried to be evenhanded. I have pressed for U.S. aid to the Truth Commission, which looked at abuses in the military. I have raised serious concerns about killings by very poor Haitians in Cité Soleil, who are probably among President Aristide's fiercest supporters. We have insisted that the investigation of the murder of a Lavalas parliamentarian, President Aristide's own cousin, be treated as a priority.

Moreover, this is not just about Haiti. We cannot pretend to help the Haitian people by turning a blind eye toward human rights abuses there by deceiving our Congress here at home.

With regard to the Guatemala documents from the Reagan and Bush eras, I co-signed a letter to President Clinton asking that these documents be declassified and released to the public, and that was signed by some of our colleagues who are here today. Our committee's constitutional oversight duties are clear, and we will do our job and let the chips fall where they may.

I am now going to ask our witnesses on the first panel if they would be kind enough to take their seat at the witness table.

Mr. Conyers, you are welcome to join us up here with the committee members if you would like.

Ambassador Eric Boswell, and Mr. Joseph Sullivan and Ambassador William Swing.

Ambassador Eric Boswell currently serves as the Assistant Secretary for Diplomatic Security. He has had a long and distinguished career in our Foreign Service. He has held posts in management, counsellor affairs, and was the Executive Director for the Bureau of Near East and South Asian Affairs.

Mr. Joseph Sullivan currently serves as a Special Coordinator for Haiti. He assumed that position in August of this year. In the past, Mr. Sullivan has served as Deputy Assistant Secretary of Central American Affairs, and is our principal officer in Havana.

Ambassador William Swing currently serves as our ambassador to Haiti. His diplomatic career began in 1963 with prior postings as ambassador to Nigeria, to South Africa, to Liberia, and to The Congo. William Swing has served as ambassador to Haiti since 1993, including 1 year grappling with the military dictatorship.

Gentlemen, we welcome you. You may submit into the record your entire statement as you see fit or summarize it, whichever you prefer.

If the witnesses would please rise so that we can administer the oath.

Will the witnesses raise their right hand?

[Witnesses sworn.]

Chairman GILMAN. We look forward to your testimony, and will start with Ambassador Boswell's testimony.

STATEMENT OF HON. ERIC J. BOSWELL, ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY, U.S. DEPARTMENT OF STATE

Mr. BOSWELL. Mr. Chairman, I do not have a statement to make at this time. I am pleased to be here and ready to answer your questions and those of the rest of the committee.

Chairman GILMAN. Thank you.

Mr. Sullivan.

STATEMENT OF MR. JOSEPH SULLIVAN, SPECIAL HAITI COORDINATOR, U.S. DEPARTMENT OF STATE

Mr. SULLIVAN. Thank you. I would like to read a brief statement.

Mr. Chairman, thank you for the opportunity to appear before this committee and to brief you on the recent actions we have taken to assist President Preval reform and retrain elements of the Presidential palace security guard. I would like to provide you an overview of our actions and underlying policy, and then my colleagues and I will be pleased to respond to specific questions.

Haiti is a neighbor which for most of 200 years has not seen the effective application of the rule of law nor the development of effective institutions of government. Just 2 years ago, prior to the U.S.-led intervention, law enforcement and justice was virtually absent in Haiti. There was no police force and the Haitian Army was viewed as an enemy of the people. An uncontrolled outflow of thousands of Haitian migrants in unsafe vessels fleeing to the United States was underway. During the years of the de facto regime, over 58,000 Haitian migrants were interdicted by the U.S. Coast Guard.

But Haiti has moved away from this dismal scenario. We have seen concrete improvements. The uncontrolled flow of migrants, which in fiscal year 1994 alone cost the U.S. Government about \$400 million, has ended and the illegal migrant flow was virtually zero over the past 3 months.

President Aristide was restored to office. His elected successor, President Preval, is courageously implementing the economic reform measures needed to put the economy back on track, to encourage private investment and gain the assistance of the international financial institutions.

The Army has been disbanded and a new civilian Haitian National Police has deployed 5,200 new officers selected in an open, apolitical, rigorous, and competitive national process.

President Preval has taken steps to rid his government of individuals involved in or accused of human rights abuses, and he continues to focus on this issue. Despite these and other notable advances, challenges remain. The new security structure still lacks experience and specialized technical training. The Haitian National Police is making definite progress, but it is an institution that still needs our help like the other institutions of the fledgling democracy.

The problems of common crime and political violence aimed at destabilizing the Preval Government have been recurrent challenges testing the national police. Yet, even in the face of these formidable problems, it is clear that the level of political violence in Haiti had declined significantly. Human rights groups estimated that some 3,000 political murders took place during the 1991 through 1994 Haitian coup period. By comparison, since September 1994, these same groups estimated that there have been about two dozen execution-style killings in Haiti, in which a political motive appears possible. Any murder is one too many, but there have been clear improvements in a country with a long tradition of political violence.

This improvement reflects the fact that the democratically elected governments have the support of the Haitian people and have sought to end pervasive human rights abuses.

Recently, Port-au-Prince has experienced a threat to civil order with attacks on government buildings, the murders of nine policemen since March this year, and rumors of coup and assassination plots, followed by the August 20 murders of opposition politicians Antoine Leroy and Jacques Fleurival.

This increase in violence and indications that elements of the Presidential Security Unit were involved in the Leroy/Fleurival killings prompted President Preval to undertake a reorganization, vetting and retraining of the Presidential Security Unit, and then National Police Residential Guard.

In order to ensure that the security treat is confronted appropriately, the Haitian Government initiated a broad-based investigation into all recent incidents of violence. President Preval reiterated his conviction that there is no place in palace security for those linked to crime, corruption and the violation of human rights.

On August 30, National Security Advisor Anthony Lake, Deputy Secretary Strobe Talbott, and other Administration officials traveled to Haiti to discuss, among other issues, our concerns about re-

ports of official involvement in the August 20 murders, and the assistance we might provide to help President Preval carry out the vetting and reorganization of his palace security apparatus.

Based upon his decision to reorganize the Presidential Security Unit, President Preval requested that the United States send a temporary deployment of security specialists to assist him in carrying out the reorganization and retraining of palace security. He announced publicly on September 17, that he had already suspended the director and deputy director of the palace security unit pending investigation of their possible involvement in the August 20 murders.

As you are aware, the U.S. Government provided assistance to the Government of Haiti under Section 552(c)(2) of the Foreign Assistance Act. We have sent 20 Department of State and 12 Department of Defense civilian security personnel to assist the eight contract security personnel and two Diplomatic Security advisors already assigned to assist the palace security unit.

This augmented team of security personnel is assisting in providing security to President Preval, retraining palace security elements, and training new personnel that will be assigned to a palace as a review and vetting of the current Haitian palace security agents is carried out.

Haiti still has many problems, and there still are problems in instituting the rule of law and in assuring that the new security forces do not violate their mandate. What is very important is that when such violations occur, the Haitian Government be prepared to deal with them.

When the OAS/U.N. Civilian Mission in Haiti issued its report in July of this year and documented instances of human rights abuses by HNP personnel, the police Inspector General undertook an investigation, suspending a number of agents, recommending dismissal of others, and preparing submission of several cases for possible prosecution.

President Preval has unequivocally reiterated his determination to make the rule of law a reality for the Haitian people. The establishment of Haiti's first civilian, professional police force, and the determination to end the systematic violation of human rights typical of the former Haitian security services are significant advances toward this goal.

President Preval is determined to ensure that these advances are not undermined by criminal actions of any individuals in the security force. He is taking steps to address that problem and we are assisting in that effort.

The problems of inexperienced and inefficient police and judicial systems and political violence are not unique to Haiti. They are endemic to countries making the transition from authoritarian to democratic societies, and no country has had further to travel in this regard than Haiti.

But Haitian authorities have moved to deal with these problems with U.S. and international assistance. Haiti's police and security establishment remain inexperienced and ill equipped, but are advancing in the gradual process toward becoming the effective institution required for a functioning democracy.

We firmly believe that it is in our national interest to support President Preval as he continues to work to build Haitian democracy and its institutions.

I want to note at the beginning of this testimony that I shall answer questions as fully as I can in open session. In those instances where classified information is involved, I would be pleased to go into more detail in closed session.

Thank you.

[The prepared statement of Mr. Sullivan appears in the appendix.]

Chairman GILMAN. Thank you Mr. Sullivan.
Ambassador Swing.

STATEMENT BY THE HONORABLE WILLIAM LACY SWING, UNITED STATES AMBASSADOR TO HAITI

Ambassador SWING. Thank you, Mr. Chairman, and members, for the honor of appearing before you today. I have long believed that, as one confirmed by this body in accordance with Article I of the Constitution, that I have a particular and specific responsibility to you; to keep you informed; to answer your questions; and to address your concerns. And I thank you for the opportunity to fulfill part of this responsibility once again today.

I would also say that the active and continuing interest of this committee in U.S.-Haiti policy is critical to its success. Therefore, if you have a concern, clearly those of us in the field also have a concern.

And it has been my experience in Haiti over these past 3 years that we have shared your concerns. We have also tried to act to address your concerns, and criticisms in every instance of which I am aware.

Now, admittedly, some of these have no immediate or even short-term solution, and our efforts may not always have borne the fruit that either you or we would have liked or expected.

My remarks, although relatively brief, I must apologize for them because they are somewhat philosophical in tone.

When I arrived in Haiti in 1993, I observed publicly that Haiti had the weakest institutional, infrastructural, human resource and organizational capacity of any country I had served in since leaving Central Africa and Liberia a decade before.

So when we speak of Haiti today, we are not talking about a country which is likely to become a Connecticut, or even a Costa Rica, any time soon. Through decades of wrong-headed policies, and what I term "domestic colonialism", that is, either a group, or a family, or an institution such as the army, Haiti has simply fallen too far and too far behind to expect that any effort other than a long-term policy can succeed in helping the Haitian people build that durable democracy, the modern economy, and the better life that they seek, these long-suffering, and incredibly patient, deserving people.

On the other hand, Haiti is not a Liberia, or Somalia—states where the term has sometimes been applied of a "failed" state.

What the Haitian people through their determination have done—with critical U.S. leadership in the international community,

including, I would add, this House—is to create their best prospect in the past half-century to enjoy freedom, stability and justice.

As Americans, we know as well as anyone that democracy is a process, not an event. Granted, that process is punctuated from time to time by key events, such as elections or temporary crises or setbacks such as are being examined today. It has been my good fortune to have served in five consecutive countries undergoing such watershed societal transformation. Some would contend that my batting average is not very high, but I hope I will be excused from that.

My abiding optimism about Haiti, in the face of seemingly insurmountable challenges, is based in part on my judgment that there is in place in Haiti today a transition process which is credible, transparent and increasingly irreversible.

While it is useful to take an analytical snapshot of Haiti, from time to time as events such as the recent violence demands we do, essentially the democratic transition process is dynamic, not static. As such, Haiti's transition process resembles a movie film more than a snapshot. Haiti is a work in progress.

Thus, while we can snap a photograph or even stop the film briefly to examine a particular frame, it is in recalling the beginning of the film and then allowing that film and that reel to continue that we can best put a particular event in perspective. Only so can we accurately determine whether the trend line is positive or not. I believe the trend line is positive, even though economic progress may be slower than any of us would like, and there is virtually a crisis every day. Haiti is a country in which the needs are so great that it seems that no systems are good and everything is a priority on any given day.

This is only to say that on the historical continuum of change, Haiti is much earlier in its societal transformation than many other countries undergoing the same, such as, for example, South Africa.

The cycle of violence which erupted in mid-August, including the broad daylight murder of two opposition politicians, is not unique to Haiti among societies in transition from decades of autocracy to democracy in which mistrust and stereotypes on all sides are slow to die.

What is unique in this situation is that the Haitian Government and our government actually did something about it. We quickly recognized the threat that the situation posed to the transition process, and we moved together quickly to fix it. I can imagine well that we could be having hearings today on why we did not act, had we not done so.

Finally, let me conclude simply by talking about Haiti as a long-term, worthwhile investment.

It should be, as I am sure it is, a matter of great pride to all of us as Americans that we now live in the most democratic region on the globe, with 34 of the 35 countries in our hemisphere actively embracing democracy. Haiti, happily, is part of that historic process in which this committee is an important actor.

As fragile and weak as it is, Haiti's fledgling democracy—a country whose capital is closer to Florida than ours is—will continue to need and deserve our full support. This assistance is being pro-

vided today at a much lower cost than at anytime in years. In fact, our costs have continued to decline since our 23,000 troops entered Haiti 2 years ago, and the 58,000 boat people who left in the 3 years between the coup and Aristide's return are now matched by fewer than 3,000 who have left since that time, and the U.S. Coast Guard, rather than having all its assets deployed in the Caribbean to bring boat people back and help enforce the embargo, have now, with the Haitian Coast Guard, captured more than 1,000 kilos of cocaine in the last 3 weeks.

The Haitian Creole language, as many of you know, is rich in expressions, texture and, above all, proverbs which reflect folk wisdom. One of these is particularly pertinent for today's Haiti:

It goes as follows in English, "The Constitution is made of paper; the bayonet of steel."

With our support, the Haitian people and their elected leaders are rewriting that proverb to read:

"The Constitution is made of steel; the bayonet of paper."

Thank you.

[The prepared statement of Ambassador Swing appears in the appendix.]

Chairman GILMAN. Thank you, Ambassador Swing.

I would like to address a few questions to Ambassador Swing, and Ambassador, I am going to ask, because of the shortage of time, if you could just answer yes or no.

I would like to begin with the first question. It is fair to say, is it not, that there is no doubt in your mind that members of Haiti's Presidential Security Unit, which operates out of Haiti's Presidential palace, were involved in the assassinations of two leaders of Haiti's political opposition on August 25 of this year? Is that correct?

Ambassador SWING. I cannot give you a yes or no on that. I have to at least say that we have evidence that there was involvement.

Chairman GILMAN. Is it also true that among those members of the Presidential Security Unit, who were unquestionably linked to the assassinations, that there is Joseph Moise, the head of the unit? Is he a prime suspect?

Ambassador SWING. He has been suspended.

Chairman GILMAN. Is it not true that most members of the Presidential Security Unit were handpicked by the former President of Haiti, Mr. Aristide?

Ambassador SWING. Many members of the security unit were picked. There was an initial cohort that was picked while the President was in exile in Washington. There was a subsequent cohort, in January 1995, that we vetted and reviewed for criminality, corruption, and human rights violations, and gave other tests. The first group was reviewed by us only for records of criminality.

Chairman GILMAN. Those members of the unit that were not selected by President Aristide, were selected by the successor, Mr. Preval; is that correct?

Ambassador SWING. By a successor, Mr. Preval?

Chairman GILMAN. Yes.

Ambassador SWING. By his Administration, yes.

Chairman GILMAN. Is it not true that this unit was trained, equipped and funded by our government after we did send 20,000 troops to Haiti in 1994, to restore Mr. Aristide to power?

Ambassador SWING. I would defer to my colleague, Ambassador Boswell. But my recollection is that we began assisting the Haitians in training a palace security unit along about the summer of 1993, in anticipation of President Aristide's return on October 30 of that year, and that relationship has continued, although in the past year at a much reduced level.

Chairman GILMAN. Well, then, it is true that the unit was trained, equipped and funded by our government; is that correct?

Ambassador SWING. It was largely trained by our government.

Chairman GILMAN. Well, Mr. Boswell, can you answer that?

Mr. BOSWELL. That is correct what Ambassador Swing said. The initial cohort was trained by Diplomatic Security prior to Mr. Aristide's return.

Chairman GILMAN. But we did fund the training and equipment?

Mr. BOSWELL. That is correct.

Chairman GILMAN. And, in fact, the government has spent a total of \$5.5 million in the 2 years since we occupied Haiti to train, equip and run this very unit. Is that true, Mr. Boswell?

Mr. BOSWELL. I believe that is correct, sir.

Chairman GILMAN. Is it true, Mr. Ambassador, that you were the U.S. official who had the unpleasant task of informing the current President, Mr. Preval, that members of his own security unit were involved, or suspected to be involved in those murders?

Ambassador SWING. You are referring to the murders on August 20?

Chairman GILMAN. Yes.

Ambassador SWING. Yes, and I informed the President, I believe, on August 22.

Chairman GILMAN. Would it be fair to say that when you first told President Preval about this, he was not enthusiastic about conducting a purge of the Presidential Security Unit, finding some reasons to avoid making an immediate commitment to remove the suspected assassins; is that correct?

Ambassador SWING. That is not entirely the characterization I would use, Mr. Chairman.

Chairman GILMAN. Well, could you correct that statement then?

Ambassador SWING. I will correct it to say as follows: When I went to him with it, I think he took it very seriously. We received full cooperation from him. The only issue was how do you go about such an elimination of people who may have been involved, and that was the subsequent discussion.

Chairman GILMAN. Is it correct that one of the reasons that President Preval was reluctant to act quickly is that he feared that his life might be in danger if he tried to remove the death squad members who belonged to his palace guard?

Ambassador SWING. I would not use the characterization "death squad", sir.

Chairman GILMAN. Well——

Ambassador SWING. I think there was——

Chairman GILMAN [continuing]. Was he concerned?

Ambassador SWING [continuing]. A concern.

Chairman GILMAN. Was he concerned about removal of these people?

Ambassador SWING. I think he was concerned that this be done in a proper and prudent manner in order that there be no risk of danger or repercussion.

Chairman GILMAN. Danger to his own life; is that correct?

Ambassador SWING. Danger, I suppose, but I think basically that there not be any violence connected with it.

Chairman GILMAN. Was it the judgment of our government that President Preval might be killed by his own guards if he launched a purge of the death squad members without taking proper precautions?

Is that a correct statement?

Ambassador SWING. I do not believe that we feared that his life was at stake.

Chairman GILMAN. We had no fear of his own life being threatened?

Ambassador SWING. I would make a distinction between a threat and his actually being killed.

Chairman GILMAN. Well, was there a threat to his life?

Ambassador SWING. You are asking me for my personal judgment on that?

Chairman GILMAN. Yes.

Ambassador SWING. I think as long as you have people in a Presidential Security Unit who have committed murders in the past, there is always that possible threat.

Chairman GILMAN. Well, in order to treat that problem, did you develop a plan that afforded President Preval protection from his own guards?

Ambassador SWING. I developed a plan that basically was designed to eliminate those elements that needed to be investigated because they were either at the scene of the assassination or we believed them to be otherwise involved, and at the same time to provide additional protection.

Chairman GILMAN. For the President?

Ambassador SWING. Yes.

Chairman GILMAN. By devising a plan to protect President Preval, was it not enough to get him to agree to purge the Presidential Security Unit, you then needed to bring high-level pressure to bear on him in order to force him to recognize the gravity of the situation; is that not correct?

Ambassador SWING. That is not the way, again, I would characterize it. We had a high-level visit to discuss the situation with him, and to offer him assistance.

Chairman GILMAN. Well, was the trip by Tony Lake, the President's National Security Advisor, and Strobe Talbott, the Deputy Secretary of State, and their trip to Port-au-Prince on August 30, not their intention to try to impress upon President Preval that he had no alternative but to purge the death squad members from his own personal security unit?

Ambassador SWING. The purpose of the visit to which I had just referred in my earlier remark was to impress upon President Preval the seriousness of having within the Presidential Security Unit persons who may have been involved in the August 20 assas-

sinations, and to offer him assistance in suspending those elements for the investigation.

Chairman GILMAN. Was the reason for these two high-level people to come to Haiti because you were unable on your own to persuade President Preval that he had to remove death squad members from the Presidential Security Unit?

Ambassador SWING. We had very good cooperation from President Preval throughout this. I had alerted Washington to the situation, and the response was to send the delegation, which was very helpful at that time because I needed him to know that we could in fact provide the assistance that he would require.

Chairman GILMAN. Well, were you able to convince President Preval of the necessity to remove these people? Is that not why you called on the Administration to send some high-level people to help you?

Ambassador SWING. I believe that he understood exactly the situation, and was concerned to know how do you correct this. And Washington's decision was it would be useful to send this delegation there, and it proved to be so.

Chairman GILMAN. In your messages to the Administration, did you request that high-level people come down to convince him?

Ambassador SWING. I requested high-level consideration of a plan to help him, including the possibility of either a phone call or a visit, as I remember.

Chairman GILMAN. So then, finally, when the plan was put in place, there are now 40 U.S. civilian personnel responsible for the physical security of President Preval; is that correct, and is that the President's status?

Ambassador SWING. The Presidential Security Unit is still in charge of the President's security, with assistance from our unit, who are also there primarily to train and professionalize a new force, into which a large number of the current force will be brought forward, and some additional persons, including an agreed upon number, from the Haitian National Police.

Chairman GILMAN. Presumably these personnel will remain in charge of President Preval's personal security unit until it is safe to turn that responsibility over to someone else; is that the current status?

Ambassador SWING. Our people are there for the several months that it will take to complete the professional program of training at the National Police Training Center.

Chairman GILMAN. Just one last question. You said you considered that President Preval might be threatened because of the people in the PSU who had committed murders in the past.

When did you become aware that there were people who had killed in the past?

Ambassador SWING. The ones on the August 20 murders, I became aware of in about, I believe, about 48 hours after that when I went to President Preval. I had also warned him earlier that there may be elements in the other portion of the palace security, which is the outer perimeter security, who may have been involved in earlier killings, and that they should be expelled or suspended until the investigation could be complete.

Chairman GILMAN. Did you express your concern about his own safety?

Ambassador SWING. I did.

Chairman GILMAN. When did you do that?

Ambassador SWING. Mr. Chairman, I would have to get back to you in writing on that.

Chairman GILMAN. Just approximately.

Ambassador SWING. It was in this year. It was several months ago.

Chairman GILMAN. So that was before the August 20 killings?

Ambassador SWING. That is correct, sir.

Chairman GILMAN. Thank you, Mr. Ambassador.

Mr. Hamilton.

Mr. HAMILTON. Thank you very much, Mr. Chairman.

Gentlemen, President Preval has pleased us, has he not, with his overall performance?

Ambassador SWING. Yes, he has, very definitely. He has been fully cooperative.

Mr. HAMILTON. He has been fully cooperative. He is committed to carrying out the reforms in the economy and in the political system of the country that we look upon with favor, is he not?

Ambassador SWING. That is correct, sir.

Mr. HAMILTON. So he is important in terms of our policy there, right?

Ambassador SWING. Absolutely critical.

Mr. HAMILTON. And the result of this deployment of the Diplomatic Security agents, has been to make him safer; is that not correct?

Ambassador SWING. That is correct, sir.

Mr. HAMILTON. Has he been able to purge that Presidential Security Unit of any of the bad factors?

Ambassador SWING. I believe, sir, that the chief of the unit and the deputy chief and a third person have thus far been removed.

Mr. HAMILTON. So you expect more to be removed?

Ambassador SWING. No, at this point.

Mr. HAMILTON. Now, I just want to get a sense of the level of political violence, and put it into some context.

If you look at the years between 1991 and 1994, I have seen figures that political murders reached into the thousands; is that correct; over 2,000?

Ambassador SWING. The various estimates have been used. We have generally used the estimate of 3,000.

Mr. HAMILTON. Three thousand.

And then how many since Aristide took over, which was in what, October 1994?

Ambassador SWING. That is correct, sir, October 15.

I think the most recent figure we used was 26.

Mr. HAMILTON. So you have had this very dramatic decline in the number of political killings since you have had Aristide and Preval come into office, correct?

Ambassador SWING. That is correct.

Mr. HAMILTON. And with respect to the killings that took place on August 20, have there been any other killings of that kind under President Preval?

Mr. SULLIVAN. Not that I am aware of.

Mr. HAMILTON. None that you are aware of?

Ambassador SWING. Not of political opposition leaders that I am aware of.

Mr. HAMILTON. Now, we became aware of possible political killings, much fewer than before, occurring in Haiti following President Aristide's return.

Did the U.S. Government at any time direct U.S. intelligence or information gathering away from these killings?

Ambassador SWING. Not that I am aware of, sir.

Mr. HAMILTON. Did the U.S. Government at any time direct intelligence or information gathering away from possible links to the Presidential palace or persons close to President Aristide?

Ambassador SWING. Not that I am aware of.

Mr. HAMILTON. Aside from the normal protections afforded sensitive intelligence information or diplomatic exchanges, did the Administration decide to otherwise restrict the dissemination of such information within the U.S. Government?

Ambassador SWING. Not that I am aware of.

Mr. HAMILTON. Was any of the information judged so politically explosive within the United States that restrictions were applied to its collection or dissemination?

Mr. SULLIVAN. Not that I am aware of, Mr. Hamilton. In the most recent incidents, in fact, I think information has been very widely disseminated, not only within the U.S. Government, but to the Congress as well.

Mr. HAMILTON. All right.

Mr. SULLIVAN. I might add at this point to respond to an earlier question as well, that there were indeed documents requested in connection with this most recent killing, and all documents that we have been able to locate have indeed been made available to staff of this committee.

Mr. HAMILTON. All right. If I may return for just a moment to President Preval's performance.

When he took over there were many who thought he was just going to keep the palace warm until Aristide came back. But, in fact, he has taken a lot of hard decisions, has he not, on the economy and even decisions that President Aristide was not willing to make? Am I correct about that?

Ambassador SWING. That is correct, sir.

Mr. HAMILTON. And has he given in to pressures to relax, for example, the strict controls the Central Bank has placed on taxation and fiscal and monetary policy?

Ambassador SWING. No. In point of fact, just the opposite. They are now living very much within their means with considerably difficult measures, including very high reserve requirements for banks.

Mr. HAMILTON. So he has stayed on the path of economic reform there?

Ambassador SWING. He stayed on the path, and he has just achieved the passage of the privatization law in the Parliament yesterday.

Mr. HAMILTON. U.S. spending on assistance to Haiti in fiscal year 1996, as I understand it, was about \$120 million. Does that sound about right to you?

Ambassador SWING. I think that is about right.

Mr. HAMILTON. And we expect to spend about the same amount in 1997?

Ambassador SWING. That much.

Mr. SULLIVAN. Approximately that much.

Mr. HAMILTON. And during the 3-year period of the coup regime, we were spending almost the same amount of money, were we not, on humanitarian assistance?

Ambassador SWING. That is correct. We were spending several hundred million dollars a year, largely in the holding activities, including feeding 700,000, eventually 1.3 million Haitians, a warm meal a day. We were paying for running the refugee centers in three cities in the country, and we had the entire Coast Guard fleet in Miami tied up interdicting migrants.

Mr. HAMILTON. So it was an enormously expensive operation for the United States. Today we are spending the same amount of money, but today we are spending it in support of democracy and a market economy, are we not?

Ambassador SWING. That is correct. We essentially are on a positive agenda now.

Mr. HAMILTON. All right. Thank you very much, Mr. Chairman.

Chairman GILMAN. Mr. Goss.

Mr. GOSS. Thank you very much, Mr. Chairman.

I am pleased to hear that very rosy scenario. I guess I will have to discount what I am reading in the press about how things are actually going in Haiti. I have a number of areas I want to cover, Mr. Chairman, if you will permit me.

I do want to talk about this question of President Preval and how much his own man he really is. The testimony from Mr. Sullivan, and I think corroborated by Ambassador Swing, was that he invited us to come down.

Did he have any assistance in that decision to invite us down, or did he just come to your office one morning and say "I need 40 DS people in here right now because I am going to weed out some problems I have got."

Ambassador SWING. No, I would not characterize it as inviting us down. I phoned the President and said that we had the thought of bringing this high-level delegation down, and we wanted to arrange to meet with him, and he was completely in agreement with us. We asked to come.

Mr. GOSS. So basically he did not invite us. We asked him for an invitation; then he issued the invitation; then we responded to it. Is that correct?

Ambassador SWING. Very much as we do with many senior delegations, sir.

Mr. GOSS. But that is in fact what happened?

Ambassador SWING. That is right.

Mr. GOSS. Thank you very much.

I also wanted to get into this question about how fully cooperative he has been.

Ambassador SWING. Could I just—I may have misled you on that last question. Perhaps I misunderstood you and I apologize.

Mr. GOSS. I would appreciate——

Ambassador SWING. Congressman Goss, were you asking about an invitation for Mr. Lake and Mr. Talbott for us to come down, or for us to bring the additional 30 agents down?

Mr. GOSS. Both.

Ambassador SWING. In the first instance, we expressed a desire to come down to meet with President Preval with that high-level delegation with President Preval. And in the second instance, he asked for the support.

Mr. GOSS. Without any suggestion from us that the support would be a good idea?

Ambassador SWING. We in the conversation said that we could assist you in the situation to help you with the vetting process, to identify those elements who should not remain for either involvement in this or for other reasons, and to help you professionalize and make a proper force out of it, and he accepted that.

Mr. GOSS. So he accepted our guidance, and then took the action that we had recommended to invite us down to provide the protection; is that correct?

Mr. SULLIVAN. Mr. Congressman, I would put it differently. I think he realized that there were, in making any reorganization of the palace security, there is an inherent potential problem, and we discussed how to deal with that potential problem, and bringing additional security agents down was viewed as something in the interests of President Preval and something that we could provide assistance in order to enable him to make the reorganization possible.

Mr. GOSS. My reason for asking is that there seems to be confusion on this. My understanding was that this was an idea that started in Washington, not in Port-au-Prince, and did not start with Haiti in their sovereign nation with their elected sovereign leader. It started with the United States of America looking out for its interests. And I am just trying to clear up any confusion.

Mr. SULLIVAN. If I recall correctly, he indicated his concern about how to accomplish a reorganization and vetting and removal of any individuals who might be linked to illegal activities, and how to do that in a safe and secure manner. And we helped provide one way in which that might be done, which he accepted and invited this group to come.

Mr. GOSS. Mr. Chairman, we are running out of time for a vote which I do not want to miss, but I do want to pursue this line of questioning.

Chairman GILMAN. Well, would you be willing to come back and we will pursue this?

Mr. GOSS. Yes, I would, if you would permit me.

Chairman GILMAN. All right, the committee will stand in recess. There is a vote on, and we will, as soon as we return, continue if the panelists will bear with us.

[Recess.]

Chairman GILMAN. The committee will come to order.

We were in the midst of Mr. Porter's questioning. Please continue.

Mr. GOSS. Thank you, Mr. Chairman.

Ambassador Swing, I had understood that you had created a "plan" to assist the Preval Government in your role in Haiti and observer on behalf of our national interests. I do believe that you have done an extraordinarily good job in that role and I am happy to say that publicly.

I also understand that the plan called for the removal of more than the three "bad apples" we have talked about—that it in fact predicted even more should be removed.

Ambassador SWING. Right.

Mr. GOSS. And that this plan was to be put into effect. May I ask when this plan was created by you? When it was shared with President Preval? How far this plan has gone? And how far is it going to go?

Ambassador SWING. Thank you, sir. That gives me a chance to make an addition to what I had said earlier in order to give you as complete an answer as possible.

There may well be other persons involved, sir, who would also be suspended because of involvement in similar activities. Obviously, in an open session I would rather not discuss the details, and I would be happy to brief you privately afterwards.

The plan to which you refer, again, details of which I cannot discuss in open session, was—let me just back up the dates—would have been written on the 25th of August, was simply an effort on our part to suggest how such a process of vetting and review might begin, and what the phases might be, and that is all in there.

Again, if you have not actually seen it, I can certainly brief you orally on it after this session.

Mr. GOSS. I thank you. I am not interested in names.

Ambassador SWING. But, as I say, I did not want to in any way give the idea that the removals have occurred now, that that is all.

We must also keep in mind that we are talking about an ongoing assessing. Excuse my emphasis on that. But we have been engaged since 1993 in trying to help train a Presidential Security Unit. That is a process continuing and the current phase is an intensification of that. So a number of other people will not be brought into the new force, not because of some unacceptable activity or behavior, but simply because they will not make the cut because they will not meet the standards. That is a separate group.

Mr. GOSS. Are all of the people, and, again, I am not talking names, I am talking numbers here, gone? Because, as you know, your plan suggested there were going to be more than three. Does that mean that there are still some that in your view should not be there?

Ambassador SWING. Not of which I am aware in the PSU.

Mr. GOSS. Well, I am having trouble with that because—

Ambassador SWING. That is the close-in protection.

Mr. GOSS. Yes. How about the residential guard?

Ambassador SWING. There may be.

Mr. GOSS. So, in other words, we have got some people there that you might still consider dangerous? I am not asking you to give names, but I am asking whether or not you are satisfied that the danger has been removed?

Ambassador SWING. Potentially dangerous in the sense of the activities they had engaged in earlier, yes.

Mr. GOSS. Well, I assume that is true——

Ambassador SWING. Yes.

Mr. GOSS [continuing]. because otherwise I would be hard-pressed to know why we sent 46 Personnel Security people down there to provide protection.

Ambassador SWING. Right. There is one other point in order not to give you an incomplete answer and this I should add that there is the possibility that there are other persons in the current Presidential Security Unit who may have been in the vicinity or actually at the scene of the two assassinations.

Mr. GOSS. Well, do we have any information or any suggestion of capability about that?

Ambassador SWING. Yes, we do.

Again, I cannot cover it in this hearing but I would be happy to brief you privately.

Mr. GOSS. OK.

Ambassador SWING. So there would be other persons who would have—and that would be the subject of the investigation as to whether they were there by circumstance or actually involved.

Mr. GOSS. In your opinion, is the actual trigger man in the Leroy/Fleurival killings among those who have been purged?

Ambassador SWING. We do not know.

Who have been purged? We do not know. I do not know.

Mr. GOSS. So the possibility then is that in the palace today, still under U.S. supervision, we have some dangerous elements that in fact may have been trained by us or not?

Ambassador SWING. We have some elements there who we believe to have been in the vicinity of or at the scene of that particular crime.

Mr. GOSS. I guess in criminal parlance that would make them an accessory or a participant or something?

Ambassador SWING. Sir, I am not in any way trying to avoid the question. I simply have to say that we will not know until an investigation is actually completed.

Mr. GOSS. Well, Mr. Chairman——

Mr. BURTON. Would the gentleman yield?

Mr. GOSS. Of course I would yield to Mr. Burton.

Mr. BURTON. If they are suspected of being complicitous and being at the scene of murders, and if we sent 46 people to Haiti to protect the President, why are they still there?

Ambassador SWING. There is a plan that will see that they, in fact, are suspended.

Mr. BURTON. I know, but why are they there now?

I mean, you would think if they were at the scene of a murder and that the President's life is threatened, and we have sent people to Haiti, and we could not even meet at the Presidential palace, we met at the ambassador's residence, because we were worried about security, you would think you would get them out of there right away.

Why are they still there now?

Ambassador SWING. We are doing it according to the plan that the Haitians and we have agreed on, according to their own plan and phased activity.

Mr. BURTON. Well, if I might—

Ambassador SWING. It will happen, but I cannot help you beyond that.

Mr. BURTON. If I might follow up, I thank the gentleman for yielding. It seems to me there must be some fear or some concern to get rid of these people if you think they were implicated or even complicitous in a murder, yet you have not done so. You say you have some plan.

If I had somebody that was there when a friend of mine was murdered, and I was a law enforcement official and had control over it, I certainly would not keep them there, especially if I thought my life was threatened. So I do not understand the rationale for them not being summarily removed.

Ambassador SWING. Congressman, there is, in indicating that they were at or near the scene of the activity, we are not alleging that they were the persons who actually did the deed.

Mr. BURTON. Then how come they are not suspended?

Ambassador SWING. They are not therefore in that sense necessarily dangerous.

Mr. BURTON. Why are they not suspended pending an investigation? Suspend them with pay but have—

Ambassador SWING. This is exactly what we are trying now to effect in cooperation with the Haitian authorities.

Mr. BURTON. You are trying to—

Ambassador SWING. It is a process that will happen, as the others have happened.

Mr. BURTON. I thank the gentleman for yielding.

Mr. GOSS. Reclaiming my time and understanding that my time has probably expired, I heard what you said. You said it is a plan. It is a process. You are trying to get them to do it. And from that I take it that we have a continuum where basically we are leading and trying to get the Haitians to follow in a direction that we think is the right direction for Haiti to go.

Ambassador SWING. I would describe it as a cooperative action. We have a very senior official of the Haitian Government who has been appointed to coordinate this entire activity, and we are working with him very closely according to a plan that we have agreed upon.

Mr. GOSS. Was he your recommendation or was he—

Ambassador SWING. No, he was President Preval's personal selection, and I might add, a very good selection.

Mr. GOSS. I am delighted to hear that.

Mr. Chairman, I have used my time. Thank you. I hope we get another go around.

Chairman GILMAN. Thank you, Mr. Gross.

Mr. Payne.

Mr. PAYNE. Thank you very much.

You know, I do not find anything so unusual where—whether we were invited in or we decided to go down. I cannot even follow the train of questioning. In practically every foreign affairs event we are involved in we either suggest to our allies or use a heavy hand,

whether it is Turkey or Greece, and Cyprus, and Northern Ireland. They did not come up with the Mitchell Plan. It was the United States. It was the U.S.'s idea to suggest George Mitchell to get all parties talking. The Bosnians, and the Croatians, and the Serbs did not decide they wanted to go to Dayton and meet.

I do not understand what is so unusual about the United States saying maybe we had better send some people down to see about propping this up, or whether you are invited or not. I mean, this whole thing is still—it still boggles my mind as to what, really is going on.

The question, first, you have a brand new—you never had a police department ever. The army was the police. So in less than a year you create an entire new police department, and palace guards and all the rest. And you find that there are a couple of bad apples in there, and everyone is shocked.

Like I said, we have got a hearing going on in New Jersey right now, a 49-year-old cop shot a 40-year-old woman dead, boom. They are going to have a hearing just to see what happened.

Mr. BURTON. Would the gentleman yield on that?

Mr. PAYNE. Sure, go aright ahead.

Mr. BURTON. Are those policemen who are under suspicion there in your city? Are they still on active duty or are they on temporary leave?

Mr. PAYNE. Still on active duty.

Mr. BURTON. They have them on active duty while they are in their investigation?

Mr. PAYNE. Active duty.

Mr. BURTON. Is that right?

Mr. PAYNE. Yes. That happens in most big cities.

Now, the next question, the State Department officials have testified that the Administration will not support a Haitian police force that harbors in its ranks persons we believe to be implicated in serious crimes.

Has there been any progress in this respect?

And without confirming or denying whether there are charges against them, I would like to know where these following persons stand in the Haitian Government's employment status, Pierre Cherubin, Richard Solomon, Celestin, Danny Toussaint, and Medard Joseph. These are people who have been accused or suspected. Where do these people stand right now?

Ambassador SWING. None of them are any longer associated in any fashion formally or otherwise with the current government of President Preval.

Mr. PAYNE. And why are they no longer there?

Ambassador SWING. They were removed at the time because of information we had of activities not consistent with their status.

Mr. PAYNE. On August 17, 19 persons from the MDN were arrested, and could you just give me a little bit of your assessment?

Is the MDN popular in Haiti, in your opinion?

Ambassador SWING. The MDN as a political party, right of center on the scale of the politics there, that has a certain membership, I am not sure I can tell you what it is, and has a certain following, and is a duly recognized political party.

Mr. PAYNE. How long has it been in existence and who are some of the key players of the MDN?

Ambassador SWING. Like most political parties in Haiti, it is a relatively new party. The head of the party is a man named Hubert de Ronceray, and one of the other leaders was Pastor Leroy, who was just assassinated.

Mr. PAYNE. What has been their previous background? They were supporters of Aristide?

Ambassador SWING. No, they basically opposed the return of Aristide to Haiti.

Mr. PAYNE. What is the purpose of their organization? You say it is a political group. Now, sometimes I get—they said FRAP was political, and we found out the CIA paid FRAP to disrupt the government, maybe do a few killings here and there.

What is the MDN? Is the CIA involved in them? Do we know whether the CIA has helped them like they did FRAP?

Ambassador SWING. Congressman, the persons actually arrested at the MDN headquarters on August 17 were all former Haitian army, Fad'h. There were about 19 of them at the time. They were at MDN headquarters. That is where the arrest was made. It was not MDN—arrested MDN people.

Mr. PAYNE. OK. So getting back to the question, I guess the difficulty in establishing a police unit when you have had no police department, when the military were the police, I guess you are going to get a couple of bad apples in there.

What is the current strength of the Haitian police, the unit nationwide?

Ambassador SWING. We helped the Haitians to train and establish a police nationally of 5,200 officers.

Mr. PAYNE. What was the number that we were originally intending? I thought it was about 7500.

Ambassador SWING. We originally had planned to train 7,000, and that is part of the reason that we had to open up police training at Fort Leonard Wood, Missouri, because we did not have the capacity on the campus at Frere, just outside Port-au-Prince. It became clear along the way to President Aristide that that was probably more than his budget would support, which in point of fact has happened. And so he agreed to a number of 5,000.

Mr. PAYNE. Well, I guess my time is up, and I will stop. I will not take advantage of the opportunity as might have been done previously.

But I just want to indicate that I think that President Preval is really moving along with this whole question of privatization, dealing with a new legislature that was trying to find its own level of importance and strength and power. It was difficult, I guess, walking through with novice persons elected for the first time, and I continually say that I think that in spite of a glitch here or two that the progress is continuing.

I would like to commend you for hard work that you have done there during some very difficult times, and I just, as I indicated before, seven hearings and close to 50 Administration witnesses here on this one subject. You know, I have heard about beating to death a dead horse, but there is probably nothing left to the horse, but

I guess we will have another hearing if we have time before the elections. Thank you.

Chairman GILMAN. The committee will stand in recess for 10 minutes.

[Recess.]

Chairman GILMAN. The committee will come to order.

Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman.

There is a document, Mr. Swing, dated September 1, 1995.

Do you have that in front of you? Could somebody on the staff see that he has a copy of that?

[The cables appear in the appendix.]

The first paragraph is the relevant paragraph there. Ambassador Swing, this has been declassified as you know. This cable states that the FBI investigation into the Bertin murder is at a standstill because of a lack of Government of Haiti cooperation. Moreover, it states that some of the persons implicated in political killings remain in their jobs.

Do you recall when you concluded and first reported to Washington your impression that the Haitian obstacles to the FBI inquiry were merely designed to create political cover? Was that on or about August 12, 1995?

Ambassador SWING. Could you just read that last sentence before that? I did not quite understand.

Mr. BURTON. Sure. Do you recall when you concluded and first reported to Washington your impression that Haitian obstacles to the FBI inquiry were merely designed to create political cover, and was that on or about August 12, 1995?

Ambassador SWING. Sir, I don't recall reporting that in those terms. I recall it was about August 1995 that we were beginning to realize that the FBI investigation was not proceeding as we had hoped it would, and it was somewhere between then and October 11 when the special investigative unit was created that we went to the government and said that we would urge them to create their own investigative unit who could take over the investigation upon the FBI's departure.

So somewhere roughly in that timeframe would have been when we would have concluded that the investigation was not advancing.

Mr. BURTON. This cable that I gave to you, that was your cable. You sent that cable?

Ambassador SWING. No, I understand.

Mr. BURTON. Yes.

Ambassador SWING. And I am not meaning in any way to be disrespectful. I sent a lot of cables, and I did not remember that language. I have it in front of me now.

Mr. BURTON. But would you read the first sentence there, sir? You can read it out loud if you would.

Ambassador SWING. "The FBI investigation of the Bertin assassination is at a standstill due to lack of GOH cooperation. Individuals around the President who were thought to be implicated in execution-style killings continue to hold their official and quasi-official positions."

Yes, sir.

Mr. BURTON. So you concluded then at some point at that time or prior to that, that there were Haitian obstacles to the FBI inquiry that were merely designed to create political cover.

And did you come to that conclusion on or about August 12, 1995?

Ambassador SWING. I am sorry, I do not understand the reference to political cover. Is that in this cable somewhere?

I want to understand your question so I can answer it properly, but I do not understand.

Mr. BURTON. Let me state it one more time.

Ambassador SWING. I understand what you are saying. I do not understand the reference to political cover. Is that something I am supposed to be saying?

Mr. BURTON. OK, was it ever your impression that the Haitian Government was creating obstacles to the FBI inquiry? Was that conveyed to the State Department on or about August 12, 1995?

Ambassador SWING. Yes.

Mr. BURTON. Thank you.

So when Ambassador Dobbins told me in October 1995 that the FBI inquiry was ongoing, and at the same time the FBI was packing up to leave, what he said to me was not accurate, was it?

Ambassador SWING. What dates are we talking about? Again, I am trying to go back into history here. Let me just try to—

Mr. BURTON. Let me give you the dates. I will give you the dates, sir.

Mr. PAYNE. Would the gentleman yield?

You are asking him to say what Mr Dobbins—

Mr. BURTON. I did not yield.

Mr. PAYNE. I do not understand.

Mr. BURTON. Let me finish my line of questioning, then you—

Mr. PAYNE. It is bouncing back.

Mr. BURTON. Let me finish my—

Mr. PAYNE. It does not make sense.

Mr. BURTON. Well, I will make sense if you let me finish my line of questioning.

Mr. PAYNE. Well, it will be the first time. Go ahead, Dan.

Mr. BURTON. I request the gentleman's words be taken down. I mean, I do not make scurrilous remarks about you, Don, and I do not expect you to do them to me.

I will withdraw that request.

The point I am trying to make is that when Ambassador Dobbins appeared before us, in my opinion, and I think the record proves it, he misled, at the very least, this committee. He said there was an ongoing FBI investigation, and he knew at that time, I believe, that the FBI was already packing up to leave, and he said it was an ongoing FBI investigation. The FBI left on October 13, 1995. And when he appeared before our committee it was October 13, 1995.

So I guess my question is, when Ambassador Dobbins told us that, being in the position that he was in and working with you, he must have known that the FBI was leaving and was packing up because of frustration, and that there was not going to be an ongoing FBI investigation?

Ambassador SWING. Let me respond as follows, if I may.

We did encounter obstacles along the way, and we tried to work our way through them, and we brought down special delegations to try to help us work through them. I had endless conversations on this issue because I had been partly responsible for the FBI's coming in to start with. In fact, we had the FBI on the ground within less than 24 hours after Madam Bertin's assassination. I happen to have been in the palace when she was killed, and I called President Aristide at home, and we spoke about it. And based on that conversation I was able to go forward to make a very senior-level request that we get the FBI down because we felt it was very important to get to the bottom of the killing.

Along the way there were problems that developed. But I continued to persist right up until the very end to try to keep the FBI there, essentially because we felt that was our best hope given the limited investigative capacity, virtually nonexistent at that time, of the police locally to get this assassination solved, and get to the bottom of it.

So I hope that is of some help. Despite obstacles and problems, we felt it was important to continue the investigation. This is why I continued to push to keep the FBI there, and we did in fact have the FBI there up until about the 13th of August or thereafter—of October, sorry, of October.

Mr. BURTON. On the day of Ambassador Dobbins' testimony, an internal State Department memorandum prepared for Assistant Secretary Alexander Watson had far less troubling—making categorical assertions about the FBI's Bertin inquiry under the sub-heading "The Bertin case the Government of Haiti lobbyist blow smoke." And I will quote that memorandum.

"Hogan and Hartson and Ross Robinson and Associates, U.S.-based lobbyists for the GOH," Government of Haiti, "have released a report entitled 'The Myth of Politically Motivated Killings in Haiti.' It gives full vent of spurious theories that the Bertin killing last March was either drug-related or the work of right-wing extremists. The more compelling theory developed by FBI investigators pointing to involvement of certain DOH officials and policemen which the DOH is undoubtedly privy to is bizarrely mischaracterized as stemming from an unsubstantiated claim."

So our government, according to this memo, did not agree that this murder took place at the hands of a right-wing extremist or drug-related, but it was stemming from some politically motivated person or persons; is that correct?

Are you privy to that memo?

Ambassador SWING. I think I am reading it right here. This is the one.

Mr. BURTON. Yes.

Ambassador SWING. Again, if we go back to the article that was quoted earlier from a prominent Washington journalist that introduced the figure of 80 killings, and in which I was quoted as saying there is the Bertin case and there might be one or two others, what I was saying, I was making no judgment about what the ultimate outcome of these cases would be.

What I was saying, Congressman, was that based on the knowledge we had to date we were not in a position to say were they politically motivated or if they were drug-related or anything else

because at that point the FBI investigation was not complete, and the Haitians did not have the capacity to carry it much further.

So I was simply leaving it open to see what the investigation turned out. I probably did in that article refer to some political motivation on the Bertin killing.

Mr. BURTON. Well, my time is up. Let me just end by saying that the information that we have from these memos would indicate that our government including you and Ambassador Dobbins were aware that these were probably politically motivated killings, and Ambassador Dobbins, when he appeared before our subcommittee, knew that her life was threatened and he had been told so by the FBI and the military; is that correct?

Ambassador SWING. That is correct.

Chairman GILMAN. I thank the gentleman.

The gentle lady from Florida, Ms. Ileana Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Chairman, and thank you to the witnesses here today. I am going to ask some questions referring to the cables that we have been discussing.

The first embassy cable number 1190, just to make sure that you have it there, cites a series of murders in February 1995, including several of the first suspected political killings after we restored President Aristide to power. And I had some questions about these cables.

Have you reported to Washington that members of the palace guard implicated in one or more of the February 1995 murders reflected in this cable were expected to be purged from the Presidential Security Unit? And if so, how many members or former members of the palace guard are implicated in any of these February 1995 murders?

Ambassador SWING. I will be as specific as I can based on my recollection as much as I am aware of. I believe, as I recall the figure, that there were about a dozen people removed over that period of time from the President's return until recently. I believe that to be the figure, but it is a recollection, and I have to check myself and give you an answer afterwards.

Ms. ROS-LEHTINEN. But referring to the purge in the past 3 weeks, have you reported to Washington that members of this palace guard were implicated?

Ambassador SWING. Yes.

Ms. ROS-LEHTINEN. How many members or former members are implicated in any of these murders?

Ambassador SWING. I think it would not be prudent in open session to discuss that. I would be happy to brief you afterwards.

Ms. ROS-LEHTINEN. Mr. Sullivan or Ambassador Swing, either one of you or both, when did you first become aware that a member or members of the Haiti palace guard were implicated in any of these February 1995 murders or any other murders?

Ambassador SWING. You are now talking about the 1995?

Ms. ROS-LEHTINEN. Yes, the February 1995.

Ambassador SWING. I do not recall at this time. I am sorry.

Ms. ROS-LEHTINEN. And of the ones that were just recently purged that would be in your memory within the past 3 weeks, how many—when did you first become aware?

Ambassador SWING. Well, the only two, I believe, that we are talking about today are the two political opposition figures who were assassinated in the afternoon on August 20. And my recollection is that I knew within about 24 to—more likely 48 hours after that occurred that there might be some involvement of the Presidential Security Unit.

Ms. ROS-LEHTINEN. In February 3 at 9:50 in this cable, "Haitian Army Warrant Officer Kebreau was shot five times in the head and chest while drinking at the Zodiak Bar in Rue Martisan."

Do you have any information about them in the recent purge?

Ambassador SWING. About that particular murder, yes. That was the first——

Ms. ROS-LEHTINEN. Can you share——

Ambassador SWING. We should recall that of the 26 or so murders that are now being investigated by the Special Investigative Unit from this period that, as I recall, was the first. It was on February 3, 1995, as you accurately state, and it was about 5 weeks before Madam Bertin was assassinated.

Ms. ROS-LEHTINEN. But were some of them expected to be purged? Did you have that expectation, or did you——

Ambassador SWING. At that time, no.

Ms. ROS-LEHTINEN [continuing]. believe that that would be?

Ambassador SWING. At that time we did not know. And I do not recall when I first knew that there might be some involvement there.

Ms. ROS-LEHTINEN. And right now would you say that?

Ambassador SWING. Say what, ma'am?

Ms. ROS-LEHTINEN. That you think that they were implicated in these murders, and you expected them to be purged from that Presidential Security Unit?

Ambassador SWING. I am not at liberty to discuss that in open session.

Ms. ROS-LEHTINEN. So that would be a non-no? You are not saying no to that?

Ambassador SWING. I am not saying no to it. I am not at liberty to discuss it in an open session.

Ms. ROS-LEHTINEN. On the second embassy cable, it is number 3679—3640 in some of the papers. That is dated May 1995. In this cable you informed the State Department of the May 22, 1995 murder of Michel Gonzales who was shot in the face and killed in front of his teenage daughter, who is an American citizen.

Have you reported to Washington your expectation that the members of the palace guard implicated in this murder would or should be purged from the Presidential Security Unit?

We are talking about the September purges?

Ambassador SWING. Yes, I am. We have, I think, consistently brought this to Washington's attention and have consistently made the point with the legitimate government of Haiti, whether it was under President Aristide or President Preval, that our own ability to help them would not tolerate the continued presence of persons in those security units who engaged in such activities.

Ms. ROS-LEHTINEN. And I know my time is up, Mr. Chairman, but just a last question.

When did you first become aware that a member of Haiti's palace guard was suspected in the Gonzales murder?

Ambassador SWING. I am sorry. I do not recall.

Ms. ROS-LEHTINEN. But can you give us any kind of a figure, before September, right around that time? How much after the murder took place did you become aware, and how did you become aware?

Ambassador SWING. I am sorry. I would be delighted to answer your question if I could. I simply do not recall. It is just a lack of memory on this. I am sorry.

Ms. ROS-LEHTINEN. For the record, if you could submit that for us whenever you get a chance to recollect.

Why did we not go to President Aristide or the President to demand justice—particularly when American citizens are made widows and orphans by the actions of the Presidential bodyguards?

Ambassador SWING. There is no case that I considered to be more serious than that of the assassination of Michel Gonzales. His widow, as you correctly noted, and his daughter, who was present at the time of the assassination, are both American citizens.

Ms. ROS-LEHTINEN. But as important as it was, that person remained in that position for over a year, 15 months. As important as it was for the U.S. Government, it was important to keep this person in this sensitive position for 15 months?

Ambassador SWING. Well, that has to do with your earlier question was to when we knew about it, and that is what I do not recollect, and I will have to go back to the records to find out.

Ms. ROS-LEHTINEN. If you could try to recollect for us for the record.

Ambassador SWING. I will do that. It is not a question of recollection.

Ms. ROS-LEHTINEN. This is very important.

Ambassador SWING. It is not a question of recollection, with all due respect. It is a matter of my going back into the record because I just do not know. I would have to look it up. I am sorry.

Ms. ROS-LEHTINEN. It just seems that if it is of such a priority for the U.S. Government, and it would be so important, that it would be one of the key items that one would remember, with all due respect.

Thank you, Ambassador.

Chairman GILMAN. Thank you, Ms. Ileana Ros-Lehtinen.

Mr. Sanford.

Mr. SANFORD. Thank you, Mr. Chairman.

Ambassador Swing, most members of the Presidential Security Unit were handpicked by, as we know, former President Aristide, and this unit has continued to provide for his personal security since he left office. That is my understanding, and that is correct—

Ambassador SWING. That is correct.

Mr. SANFORD [continuing]. based on your understanding?

Did you or any other U.S. officials at any time speak to President Aristide about the problems in this unit?

Ambassador SWING. We have spoken to them on many occasions over the period of his time in office.

Mr. SANFORD. Did you ask for his support or assistance in carrying out the purge?

Ambassador SWING. We worked, I think, very closely over a long period of time in seeing that a number of those persons were removed from anything to do with the palace, and in fact that has all been accomplished now. They have all left.

Mr. SANFORD. But that would be direct contact with President Aristide in terms of actually carrying out the purge?

Ambassador SWING. That is correct.

Mr. SANFORD. Do we have any reason to believe that President Aristide is upset about the purge that has taken place of his hand-picked forces, that actually continue to, as I understand it, spend a great amount of time—they are still spending time with President Aristide?

Have you heard anything along those lines?

Ambassador SWING. I do not know his reaction. He, as you know, is in the States as of yesterday. I did not talk to him before he left or have not talked to him since we came in with the augmented security agents.

You correctly state, however, that he does receive Presidential security protection in his period now as a retired President.

Mr. SANFORD. Do we have any reason to believe that other members of the President's—well, let me back up. Other members of the Lavalas movement are upset about the purge?

Ambassador SWING. I have no reaction from them that I can report to you.

Mr. SANFORD. None. Even just through the grape vine back in Haiti?

Ambassador SWING. There has been a certain amount of publicity, some of it positive, some of it negative, in the local media, both the written press as well as the radio. Some of both.

Mr. SANFORD. Conjecture? How much conjecture do you hear on the radio?

Ambassador SWING. There is some criticism from the Lavalas side that I am privy to that I have heard through the airwaves or through the written press.

Mr. SANFORD. Regarding the assassinations and other criminal activities involving members of the palace guard, have we at any time come across any evidence linking President Aristide in any way to these activities?

Ambassador SWING. Which activities are you referring to, Congressman?

Mr. SANFORD. Well, in essence, basically any of the assassinations.

Ambassador SWING. The answer is I do not have any evidence linking him to any—

Mr. SANFORD. Other than the direct linkage to the guards that still basically spend time with him.

Ambassador SWING. No, I have no evidence that would link him to that.

Mr. SANFORD. Have we at any time come across any evidence linking President Preval in any way to the assassinations or criminal activity?

Ambassador SWING. No, sir.

Mr. SANFORD. I am through with my questions.

I yield back the balance of my time, Mr. Chairman.

Chairman GILMAN. I thank the gentleman—I thank you for your comments.

Mr. Payne.

Mr. PAYNE. Yes, I just have a question about our aid. I understand that there is an assistance package of about \$28 million or so that is being held up. Could you tell me that?

And also, I understand that some of our balance of payment and privatization funds expire today; is that right? I mean, after today there will be no more—that that particular line expires. Could you bring me up to date on that?

Mr. SULLIVAN. If you do not mind, Mr. Congressman, we will share this question, and I will talk a little bit about the programs that have been notified to Congress, and then Ambassador Swing will talk about their effects in Haiti.

There are probably three most critical elements that were notified to Congress. They are the \$3.5 million for the administration of justice, which is the program to improve the very poor judicial system in Haiti, and particularly to help train prosecutors with increasing involvement by the Department of Justice, and on this occasion in the city of Port-au-Prince where they have not been focused in the past.

The second is the budget support which is, as you mentioned earlier, I believe, a part of the package together with the IMF, and the other international donors to provide budget support so that they will be able to pay their teachers, their municipal workers, their parliamentarians on time, and they look to that assistance, and particularly after having passed the privatization bill, so that they can live on a less austere and less difficult budget than they have in the past and meet their international commitments.

And, third, there is an element of \$800,000 which is for election support, in order to prepare for territorial assembly elections which are scheduled for this fall, and money needed to help carry out those elections, which is, again, part of a package involving other donors as well, in addition to the United States.

Mr. PAYNE. Right, the notification period just ended, not the funds itself, right?

Mr. SULLIVAN. Well, in several cases, indeed the administration of justice, my understanding is that the Department of Justice really only does have funds to carry on until the very first days of October unless the hold is lifted on these funds in order to be able to go forward in training judges and prosecutors.

Mr. PAYNE. That was one of the arguments about upgrading the police, but the judicial system lacking experienced judges, lacking prosecutors, lacking investigators actually to investigate a crime since the military was the law, and you did not need all that because they were judge, jury, executioner and all the rest.

How do we intend to move this country into the 21st century if we are holding back our money to train judges?

I mean, it seems to me, and this is not for you to answer, but you can answer that part, that there are people that are attempting, even with the Dole Amendment, I guess it has the right name, it seems like there is an attempt to make this thing fail. I have

never seen more activity go toward making something that is struggling to make it under very difficult situations with a very, very violent history, trying to move into making it, saying we criticize the fact that they do not have qualified judges or a good criminal justice system. So what do we do? We hold up the money to reform the justice system. And they are going to browbeat somebody about a day, was it April the 2nd or April the 1st, did you know, do you not know how many are going to be implemented like you are a mind reader.

Well, anyway, getting back to the question, where do we stand on these funds? And second, are there any other countries that are assisting in Haiti at the time, any of the friends of Haiti?

Ambassador SWING. There are, of course, a number of other countries assisting, and we are working cooperatively with most of them. On the police training, for example, both Canada and France and the United Nations are involved. In the justice area, we have a lot of support again from those, as well as from the UNDP.

Our project will have to come to a halt on October 3 without those funds, however. We have trained approximately 400 of the country's 500 judges, and we would like to complete that project before we move to the longer-term project, which is to take the new judges who will be selected by the territorial assemblies, and who will probably be much better qualified than the current judges, to start a training cycle for them.

The difficulty is exactly as you state. We now have a police which is becoming more efficient by the day in terms of its arrest capability, but they are not moving them through the judicial system, so the prisons which are already inadequate are becoming overcrowded.

The prison at Port-au-Prince which was built to hold about 300, actually today has more than 900 prisoners. This leads to all sorts of conditions, including human rights conditions. It leads to greater efforts to break out of prison, and that is replicated throughout the country.

And you are correct in stating that our justice efforts are sadly lagging behind the police efforts. We have \$64 million over 5 years for the police, and we have \$18 million over 4 years for the justice system. So we are trying to continue that program and to augment it in the coming months. It is a real problem for us.

Mr. PAYNE. I have heard by trying to follow the history of Haiti, that when there is a lack of confidence in the Justice Department many times it seems like it creates a vigilante group or some people who will say, well, if they catch them, they put them in jail, they are never going to go to justice because we do not have judges, we do not have prosecutors, and let us just take justice into our own hands, and create a more volatile situation.

Is this an accurate assessment of perhaps the thinking of the average person, so they are locked up, they are put in prison, we do not have a system, so maybe before they put them into prison let me put out justice my own way?

Ambassador SWING. No, I think undoubtedly the current system reinforces that tendency and trend which we have seen in Haiti before, and that again argues for trying to put the judicial reform on to a fast track.

Mr. PAYNE. Just once again, I would like to say that I once again commend you for the work that you have done and your Administration during this very troubled time. I have never seen anybody try to pull out of the jaws of victory or defeat, you know how that thing goes. Something worked. We lost no lives. We restored democracy into the country. They are struggling to work it around. We have been spending from ten o'clock to two o'clock here talking about two murders in Haiti and how many people will be suspended from the palace guard. And we have people firing at each other with machine guns our friends in the Middle East. We had 4 hours to bring in our people from the Defense Department and Foreign Assistance and folks that are dealing with this, maybe we could have come up with some suggestions to deal with what I think currently today in the world is one of the most critical problems that any of our allies are facing. But we spend 4 hours so far dealing with this—and I know this, I am sure you would prefer to be down in Haiti working there doing what you do best. But I guess they subpoenaed you so you had to come up.

I would just like to say that you have my support. I think President Clinton has done an excellent job, not only in Haiti, but in Northern Ireland, and North Vietnam, Cyprus, Iraq, and the whole world, where we see a lessening of hostilities. Still, there are a lot of tough places around, but, you know, this continued distrust to make foreign policy statement of a success to become a failure, when we did not lose one single, one single combatant out of 23,000, we do not even have that record where we have military maneuvers. I think you have done a commendable job. Thank you.

I yield back the balance of my time.

Chairman GILMAN. I thank the gentleman for his comments.

We are not talking about two murders. We are talking about murders by U.S.-trained personnel, the palace guards have killed two dozen people since our intervention 2 years ago.

Mr. PAYNE. Well, that happened in Chile too.

Chairman GILMAN. I have not yielded.

Mr. PAYNE. It happened in Nicaragua.

Chairman GILMAN. I do not yield.

Mr. PAYNE. What is new about it?

Chairman GILMAN. I do not yield at this time!

Mr. PAYNE. All right. Well, I have got something—

Chairman GILMAN. We are here on an oversight review of what our policy is and what the Haitian Government is doing with regard to the trained personnel that we have in Haiti.

I might add that the ambassador is not subpoenaed. The ambassador is here voluntarily.

Ambassador Swing, would I be correct in surmising from the fact that we still have about 40 U.S. bodyguards in Haiti today that President Preval's life could still be in danger, that we cannot today withdraw those Americans without exposing him once again to an unacceptable risk from his own bodyguards?

Ambassador SWING. I do not expect that when we withdraw our 42 Diplomatic Security people from DS, DOD and the contracting agency, I do not expect that the President would be in any danger from his Presidential Security Guard.

Chairman GILMAN. That is not the question I am asking you. If you were to withdraw them today, would the President be in danger from his own bodyguards?

Ambassador SWING. I do not believe so. I think there is, again, a primary focus of what we are in Haiti for is to carry out a thorough review and vetting process, to train and to professionalize the Presidential Security Unit to make sure there are no longer any elements left within it which could in any way cause either risk of danger or risk of embarrassment or credibility.

Chairman GILMAN. So there could be some risk yet among the palace guards for the President? If we were to withdraw them today, we would still have some risk there. Is that what you are telling us?

Ambassador SWING. There will be no risk once we have finished the review and vetting process, and so I would not——

Chairman GILMAN. Mr. Ambassador——

Ambassador SWING. I would not want to——

Chairman GILMAN. Mr. Ambassador——

Ambassador SWING. Yes.

Chairman GILMAN. Let me interrupt. That is not what I am asking.

I said if we were to withdraw our trainers and our U.S. bodyguards today, would the President be under any risk?

Ambassador SWING. Until we are satisfied that all of the elements have been suspended, who have engaged in such activities.

Chairman GILMAN. Thank you.

Mr. Boswell, have our Diplomatic Security personnel in the Presidential palace in Haiti been instructed to regard the Haitian security personnel still at the palace as a potential threat to President Preval's life?

Mr. BOSWELL. Mr. Chairman, the role of the Presidential Security Advisory Unit for——

Chairman GILMAN. Could you put the microphone a little closer to you?

Mr. BOSWELL. Yes.

Chairman GILMAN. Could you just answer yes or no to my question? Have our Diplomatic Security personnel at the palace been instructed to regard the Haitian security personnel still at the palace as a potential threat to President Preval's life?

Mr. BOSWELL. The Diplomatic Security personnel at the palace must——

Chairman GILMAN. Can't that question be answered yes or no?

Mr. BOSWELL. I do not think that is an easy question to answer like that, Mr. Chairman.

I think the Diplomatic Security personnel have to look for danger wherever they may find it around them, and I do not have anything more specific than that to give you.

Let me add, Mr. Chairman, that the reason that we have 42 people down there from a couple of agencies is to advise and train the Presidential Security Unit. They are also there to protect each other. They are also there in that number to make sure that they are safe.

Chairman GILMAN. The American trainers who are there, the U.S. bodyguards, do they consider the Haitian bodyguards as some threat to the President?

Mr. BOSWELL. The trainers that are there are vetting the bodyguards for continued service in the Presidential Security Unit.

Chairman GILMAN. So there is some concern about some of them?

Mr. BOSWELL. There is some concern. There might be some concern.

Chairman GILMAN. Ambassador Swing, have we sent any additional U.S. military personnel to Haiti in connection with the purge of the Presidential palace or because of the deteriorating security environment?

Ambassador SWING. No, sir.

Chairman GILMAN. There were some reports over the summer of hastily scheduled U.S. military exercises in Haiti designed to help shore up the government.

Can you assure us that these reports are untrue and that all of our exercises there over the last 4 months have been scheduled well in advance and that we do not perceive the need to intimidate anyone in Haiti, or to protect anyone in Haiti?

Ambassador SWING. As far as I know, all of the exercises that, as you correctly state, began in July are unrelated to the matter for which we are assembled today; namely, the problems of the palace security guards and the assassinations.

As you know, we brought in the 82nd Airborne, about 165, in July of this summer.

Chairman GILMAN. They were not related to any threat at that time?

Ambassador SWING. They were there on a security training mission as we augmented our presence in the city. We started in July to do a 7.5-mile road project that exposes our support group troops more than they had heretofore been, and they came primarily for that.

Now, clearly, with that many really top troops in the country, that clearly augments the perception and the reality of security in Haiti. And in that sense, yes, it does contribute to security, but the primary focus was training.

Chairman GILMAN. When was that military expedition planned?

Ambassador SWING. The planning, I cannot tell you that. You would have to ask DOD or USA COM at Norfolk. But the first contingent arrived in July. The idea is——

Chairman GILMAN. Was that planned in advance or was that a hastily planned expedition?

Ambassador SWING. I do not know how much in advance it was planned.

Chairman GILMAN. Did you have any information with regard to any of the planning or the notice of arrival of that expeditionary force?

Ambassador SWING. In the sense did I know about it beforehand, yes. I was on hand to meet them.

Chairman GILMAN. How much beforehand?

Ambassador SWING. I knew well beforehand. Days before at least, perhaps weeks before.

Chairman GILMAN. Did you ask for that force to come to Haiti?

Ambassador SWING. No, not specifically. I fully agreed with it, and I fully support it.

Chairman GILMAN. Did you make any request, with regard to that military force, to come to Haiti?

Ambassador SWING. I made a request later on. I made a request that in light of this, that we try to schedule an additional deployment for September because there was not one in September. I thought it was useful to do them on a monthly basis, and I had so informed the government.

Chairman GILMAN. For what reasons were you making the requests for those military expeditions?

Ambassador SWING. Because I thought it was useful in terms of augmenting our own security posture for our own troops, and that was basically the reason I did it.

Chairman GILMAN. Was there a threat to our own troops that were down there?

Ambassador SWING. I do not believe it to be. Certainly not—it was a threat that we felt that we could handle. And with the augmentation of the additional 82nd and the 2nd Marine Expeditionary Force, we felt we were fully handling this. Because of the 500 troops there, there are more than 100 who are in the security area.

Chairman GILMAN. What sort of a threat did you perceive that there could be without these troops?

Ambassador SWING. The normal threat you would have if you were out working on projects in the city, or on a roadbed.

Chairman GILMAN. Did you include any threat to the Presidency at the time you were asking for the military to come in?

Ambassador SWING. Not that I am aware of, sir.

Chairman GILMAN. How much have we spent since the official withdrawal of our forces from Haiti last April on the cost of military exercises and other U.S. military deployments to Haiti?

Ambassador SWING. Sir, I will have to—I will have to get back to you on that, or get the Defense Department to get you an answer. I do not have an accurate figure.

Chairman GILMAN. Does Mr. Sullivan or—

Mr. SULLIVAN. No, I think we would have to consult with the Department of Defense and get an answer to you.

Chairman GILMAN. Do you have any estimate of what we have expended?

Ambassador SWING. I really do not, but we will be happy to get that to you, sir.

Chairman GILMAN. All right. I am going to request that you submit it in writing for the record, and we will make it part of the record.

Are there any additional deployments of U.S. forces contemplated over the next few months? You said you wanted—

Ambassador SWING. Yes, sir.

Chairman GILMAN [continuing]. Some additional ones?

Ambassador SWING. As far as I know. There is, of course, not one planned for September, but there is one in October, and according to the schedule it should be the 82nd Airborne from Fort Bragg again.

Chairman GILMAN. How many personnel are involved?

Ambassador SWING. It varies. The first deployment in July was 165. When the Marines came in August, it was about 65.

Chairman GILMAN. How many are you asking for in October?

Ambassador SWING. I never ask for them. I take what comes.

Chairman GILMAN. How many will be sent?

Ambassador SWING. I think we sort of agreed that they will vary somewhere between about 50 and 175. It will usually be about that number. They will stay 7 to 10 days normally.

Chairman GILMAN. Is that for security purposes?

Ambassador SWING. It is primarily to augment security training. Yes, it is for security.

Chairman GILMAN. Did we ask the Canadian Government to deploy additional military personnel to Haiti to assist in stabilizing the situation during the purge of the Presidential Security Unit?

Ambassador SWING. Could I brief you afterwards on this?

Chairman GILMAN. Well, I think it would be very simple. Did we ask them to assist us?

Ambassador SWING. I think this is the subject of confidential exchanges between our two governments, and I would prefer either not to answer it either yes or no, but to brief you following the hearing.

Chairman GILMAN. Well, let me ask you, were any Canadians deployed to help with the Presidential problem?

Ambassador SWING. The Canadians, normally they have about two platoons at the palace, about 40 people, and they augmented their presence by 50 percent. So basically they have about 60 people at the palace now for perimeter security.

Chairman GILMAN. The press seemed to report that the Canadians ringed around the entire Presidential palace; is that correct?

Ambassador SWING. That is not my perception. I have never seen that, but it may have happened since I left.

Chairman GILMAN. Well, what was their duty at the Presidential palace?

Ambassador SWING. Their duty primarily is to train what is called the NPRG, the outer perimeter guards which are primarily former FOD and Guantanamo migrant people.

Chairman GILMAN. I am sorry. I did not hear your response to the last question?

Ambassador SWING. I said, sir, that the primary function according to my information of the Canadian contingent of the U.N. force, these are U.N. troops, is essentially to train and assist the NPRG, which is the outer perimeter guards force for the palace.

Chairman GILMAN. Do you have any idea how many Canadian personnel were involved in that?

Ambassador SWING. Generally they have had 40 U.N. personnel, Canadians, and they have just added an additional 20.

Chairman GILMAN. Mr. Ambassador, did any other governments deploy additional military personnel to Haiti in connection with the purge, or leave in place personnel who had been scheduled to rotate out?

Ambassador SWING. Not that I am aware of.

Chairman GILMAN. We are on a roll call. The committee will stand in recess for about 15 minutes.

[Recess.]

Chairman GILMAN. The committee will come to order.

Mr. Goss.

Mr. GOSS. Thank you, Mr. Chairman. Ambassador Swing, thank you.

I am reading from a Los Angeles Times, September 25 article that says, "It was very heavy-handed,' one European diplomat said, 'they told the Haitians this is what we know and this is what we are going to do. It's spitting in the face of Haiti and saying you are an occupied country, and you don't count.'" That is a story reported about the foreign diplomatic community and Haiti observing this latest arrival of U.S. security forces.

And then I notice the article goes on to say, "But U.S. Ambassador William Swing and President Preval insist publicly that the Haitian Government requested the U.S. agents to retrain the Presidential Security Forces."

I submit that is a very important distinction because our mission here is to deal with national security questions. It is not to deal with domestic political questions. And I would suggest, if we got a bona fide request from Haiti, that has to be weighed in the context of a national security test.

If, on the other hand, the Administration had decided that they want to impose upon Haiti some of these security personnel for whatever reasons, however bona fide or not, it appears to me that that is definitely getting into the sovereignty of another country. And when you go ask what would be the motive for that, I think you do get a suggestion, perhaps even a strong whiff, of domestic politics.

But the question I have for you on that is, I think you have answered the statement about whether you invited them or they invited us, and even though your testimony and this newspaper article are somewhat in conflict, I presume that your testimony today has more credibility than this newspaper.

Ambassador SWING. I think it reflects on what constitutes a request and how did you arrive at it. And in a certain sense, it goes right back to the question of whether President Preval asked for the FBI, or whether we offered it and he accepted it. And I know there has been room for some disagreement on that too.

All I can tell you is that when we spoke to President Preval about the situation as we knew it on the ground, within the Presidential Security Unit, and basically outlined what would need to be done, we came to a mutual understanding that it would be in both their interest and in our national interest to augment our security presence at the palace.

Mr. GOSS. Well, that is a very good point.

Ambassador SWING. Which is what we did.

Mr. GOSS. That is a very good point because I have been looking at some of the memorandum from, and maybe Ambassador Boswell would comment on this, on the question of our capabilities with regard to protection of our American personnel in Haiti overseas, including Ambassador Swing. And I am astonished to find out that as far back as November in 1995, and even subsequently in a letter to Chairman Gilman from the Inspector General of the Department of State dated September 25, that there is a shortage of these Diplomatic Security officers. So much so that there has even been talk

about perhaps paring down on the Secretary's detail. That is an extraordinary statement.

I have done some checking to see in all of the areas where there are some serious security problems right now, in Sarajevo and Zagreb, and Riyadh, that when I counted the number of DS people there that we have been told are there, it totals 11. When I count how many there are in Haiti, it is somewhere between 22 and 44, however you characterize these people.

So my question is, are we putting at risk other areas and other Americans and other American interests by this extraordinary commitment of security personnel to a foreign President in his palace in Haiti?

Mr. BOSWELL. Congressman, you are absolutely right that this has been a very difficult year for the Diplomatic Security Service in terms of the number of surges that we have had during the course of the year that have required personnel. And it has become difficult to respond to these requirements.

We were fortunate in the case of Haiti to be able to get some help from other agencies. As you saw, there are 12 members coming from the Department of Defense doing protective security in Haiti.

Mr. GOSS. Ambassador Boswell, I apologize for interrupting. The bells have gone, and I think you have got my point, and you have answered my question. It is tough. We are all on a short budget. So the question will go and it is a judgment call on whether or not this is a wise commitment of our assets.

I need to ask, Mr. Chairman, unanimous consent to submit for the record the unclassified Administration responses to questions that we had about PSU training and U.S. assistance to them, which I think are of interest to the committee.

And, finally, Mr. Chairman, I am disturbed by a report that I have that has been brought to my attention that says that the Administration chose former New York Police Commissioner Raymond Kelly to head up the U.N. police effort in Haiti. He was not hired in his personal capacity. Instead, I understand he was awarded a sole source \$420,000 contract with the Investigative Group, Incorporated, which has some interest and connection in the Department of State.

I am going to submit this request for the record, and my request is for whoever is the appropriate person on the panel, perhaps Mr. Sullivan, could you provide us for the record a memorandum detailing the process by which this contract was awarded for the IGI, and how we happened to get to this somewhat extraordinary circumstance which does appear to have some elements, possible elements of nepotism in it, which is a concern to us.

Chairman GILMAN. Without objection, the questions will be made part of the record.

[Administration responses to questions regarding PSU training appear in the appendix.]

Chairman GILMAN. I will ask our panelists if they will respond. I have just a few questions. I know Mr. Conyers might have a question. We are confronted with another roll call, but we will try to wind up before the vote.

Again, I would like to ask you, Mr. Ambassador, were you at any point concerned that rather than removing the suspected assassins from the Presidential Security Unit, that President Preval might try to cover up the involvement of his palace guards and death squads?

Ambassador SWING. The question is would he remove them or will he try to cover it up?

Chairman GILMAN. Yes.

Ambassador SWING. Of course, he will do everything possible—

Chairman GILMAN. No, I am asking at any point were you concerned rather than removing them or any coverup?

Ambassador SWING. No.

Chairman GILMAN. Did you or any other official of our government ever warn President Preval against trying to cover up the death squad activities of some members of the Presidential Security Unit?

Ambassador SWING. I had no reason to.

Chairman GILMAN. Did you or any other official of our government ever warn other officials in the Haiti Government, besides President Preval, against covering up the death squad activities of the unit?

Ambassador SWING. I brought to the attention of those who needed to know when there were elements in the Presidential guard who needed to be suspended.

Chairman GILMAN. Well, that—

Ambassador SWING. And I think that is an answer to your question.

Chairman GILMAN. Well, I do not think you are answering my question.

Ambassador SWING. Would you ask it again, sir, and I will try to be more—

Chairman GILMAN. Did you or any official of our government ever warn other officials of the Haiti Government, besides President Preval, against covering up the death squad activities of the Presidential Security Unit?

Ambassador SWING. Well, again, I am sorry, sir. I cannot accept the characterization of death squads. I have never accepted it. So it certainly makes it difficult to answer the question.

Chairman GILMAN. Well, covering up the assassination attempts.

Ambassador SWING. Did I warn them—

Chairman GILMAN. Yes.

Ambassador SWING [continuing]. Against covering up?

Chairman GILMAN. Did you ever warn them about covering up?

Ambassador SWING. No. I told them that it was important that those elements be dealt with, and the consequences of not doing that would be serious in our ability to support PSU and other elements of security at the palace.

Chairman GILMAN. So you have never told any of them that they should not be covering this up?

Ambassador SWING. I am trying to put it into more positive. I always talk to them about the importance of getting rid of these elements.

Chairman GILMAN. Did you ever ask any of your staff to pass that wording on to the Haiti officials not to cover it up?

Ambassador SWING. I have always been able to tell them the consequences of what a coverup would mean, if something did——

Chairman GILMAN. So you did discuss that with them?

Ambassador SWING. I do not recall ever using the term "cover-up." I have said, in effect, that it is very important to do this in its own right, for your own sake, and the difficulty will be if these elements are not purged, it will have great implications for our own ability to assist you.

Chairman GILMAN. To your knowledge, did any member of your staff ever warn the Haitian officials about covering up the fact?

Ambassador SWING. Well, implicitly, yes; that the implication of not getting to the bottom of these would have serious consequences for our assistance program.

Chairman GILMAN. How about Joseph Moise, the former head of the Presidential Security Unit, who has now been removed, where is he today?

Ambassador SWING. I do not know physically where he is, but he is outside of the palace.

Chairman GILMAN. Is he outside——

Ambassador SWING. He is no longer in the security unit.

Chairman GILMAN. Is he outside of Haiti?

Ambassador SWING. Not that I am aware of, although Millien, his deputy, was recently in Boston before his suspension was announced.

Chairman GILMAN. Was Moise given what is known as a golden parachute to remove himself from government?

Ambassador SWING. Not that I am aware of. I think he is simply pending the investigation.

Chairman GILMAN. Mr. Conyers.

Mr. CONYERS. Thank you, first of all, Mr. Chairman, for allowing me to raise a question or two here.

I would like to submit that this has been a useful hearing. There have been obvious differences that members have come here with, but I would like to commend the ambassador and the other two witnesses for doing their level best to help make us understand a little bit more what is going on. I think that everybody that has participated in these hearings are indebted to you in that regard.

I have been looking at your prepared statement, Mr. Ambassador, and I was struck by this sentence, "By comparisons, since September 1994, these same groups estimate that there have been about two dozen execution-style killings in Haiti in which a political motive appears possible."

Well, for a country that has been in turmoil for as long as they have, I may be optimistic, but that seems like a pretty low rate.

Is that figure going down or is there any movement or explanation you can put beside this assessment that you made in your statement?

Mr. SULLIVAN. Mr. Conyers, I am only aware of these two cases since President Preval has taken office. We do think that the Preval Government has taken a number of very positive actions to remove people who had any possibility of association with such violent acts, and we think there is a positive message being sent when people are dismissed who may have been involved in such acts.

Chairman GILMAN. Mr. Conyers, I am going to suggest that all of us who have additional questions submit them in writing and ask that the witnesses respond in writing. We have 5 minutes left to get to the floor on this vote.

Gentlemen, I want to thank you for your patience and for your willingness to come to testify, and I know it was with a great deal of hardship some of you are here.

[No additional questions were submitted to the witnesses.]

Ambassador Swing.

Ambassador SWING. Sir, I will be very brief. Could I ask you for your indulgence to make a clarification?

Congressman Burton asked me a question. On further reflection, it is clear when I answered it that the question was not that clear to me. It had to do with the question of what Ambassador Dobbins and I knew, I think, on October 13, 1995, with respect to the departure of the FBI.

And I would like, if it is possible, to ask to review the question to make sure I understood it, and review my answer.

Chairman GILMAN. You will have an opportunity to review the testimony.

Ambassador SWING. I apologize for that but I am not sure I answered it as I——

Chairman GILMAN. You can submit a clarification for the record. Again, I want to thank everyone.

Ambassador SWING. Thank you, sir.

Chairman GILMAN. The committee is adjourned.

[Whereupon, at 2:50 p.m., the committee was adjourned subject to the call of the Chair.]

APPENDIX

September 27, 1996

Full Committee Opening Statement of
Chairman Benjamin A. Gilman on
Administration Action and Political Murders
in Haiti: Part II

Two years ago this week, 20,000 American troops left their homes for Haiti to restore constitutional order and to throw out a regime that was murdering its political opponents.

Since then the Clinton Administration has spent more than \$2 billion dollars to support a government that has tolerated thugs who murder its political opponents.

I supported the restoration of the constitutional order in Haiti, but that support was betrayed by this Administration when it kept Congress in the dark about political murders by the very government we returned to power.

Many of these murders were committed in 1995, while U.S. troops were still in Haiti as peacekeepers. Our government has information linking these killings to members of Haiti's Presidential Security Unit, which was trained by our government.

One of the most shocking murders was the March 28th, 1995 shooting in broad daylight of Mirielle Bertin, a prominent opponent of then President Jean-Bertrand Aristide.

Two dozen FBI agents were deployed to Haiti to help investigate the shooting, but by August 1995, our Embassy had concluded that the Aristide government was stonewalling the FBI.

Even as the FBI was packing up to leave Haiti in frustration, an Administration official told our Western Hemisphere Subcommittee on October 12th that the investigation was continuing. Within a few days, the last FBI agent had left Haiti in frustration.

The Administration has been aware since early 1995 that death-squads were operating under the direction of top security aides to President Aristide.

The Administration privately pressed Aristide to dismiss suspected assassins in his security unit, but he refused to do so. Although some were dismissed by President Rene Preval after he took office in February 1996, their violence got out of hand last month.

But, despite some ten hearings and briefings before the Committee on Haiti during 1995, the Administration failed to inform us until January 1996 that it was aware of these death-squads, which began a year earlier.

After two leading opponents of President Preval were slain on August 20th, the Administration rushed 46 armed agents of our Diplomatic Security Service to Haiti to protect Mr. Preval from his own U.S.-trained bodyguards and to oust members of his palace guard who are linked to a series of recent murders.

The Administration has claimed Haiti as a foreign policy success. Yet, on the very weekend it was preparing to send cruise missiles against Iraq, two top members of its foreign policy team -- the Deputy Secretary of State and the President's National Security Advisor -- were dispatched to Port au Prince to negotiate with President Preval.

If Haiti is the success that it claims, then why has the Administration been so reluctant to provide our Committee with the information we have sought?

It is interesting that, while the Administration has declassified 5,847 documents pertaining to Guatemala, it has declassified only 21 pertaining to Haiti. You see these documents here this morning, which illustrate a stark double standard.

Moreover, the President has made an extraordinary use of his executive privilege to block a careful scrutiny of about 50 essential documents by our committee.

And, to those who may say that our investigation is mere politics, I would point out that our Committee has an oversight responsibility to discharge on behalf of the American people.

As a National Security Council official said when releasing those Guatemala documents last May, "We're going to let the chips fall where they may. We just want to get to the facts."

In concluding, I would like to note that I have tried to work with the Administration over this past year to get to the bottom of these troubling issues...issues that should not be minimized because some say conditions were worse before U.S. troops landed in Haiti.

We must ask instead, after our nation's vast investment in Haiti, how many political killings are acceptable?

I want a democratic government in Haiti to work. I have long supported that goal. What I cannot accept, nor can our Committee accept, is this Administration telling Congress less than the full story about the situation in Haiti.

I would much prefer to try to work with the administration to fix current shortcomings than to be told next year that we must support the return of U.S. troops to Haiti as the only means of preventing the collapse of the government in Port Au Prince.

**STATEMENT OF REP. JOHN CONYERS
INTERNATIONAL RELATIONS HEARING ON HAITI
SEPTEMBER 26, 1996**

I want to thank Chairman Gilman for holding these hearings and for generously offering to let me make a statement.

Haiti's problems did not begin on August 20th this year with two murders, and they didn't begin with the 1991 coup that overthrew its first democratically elected government. Haiti's troubles probably began in 1517 with the importation of slaves. For centuries afterward, this tiny nation suffered under the oppression of colonialism and the tyranny of fear. The United States has played its own role in this painful history: thousands of Haitians were killed during one of the Marine occupations from 1915 to 1920.

This hearing comes at the end of a long, hard road for Haiti. Haiti has earned its dignity, and it deserves its democracy. No president has done more to help Haitians determine their own peaceful destiny than Bill Clinton.

In the last year and a half, the Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP) has trained 5200 police. These are rookie cops, but they represent Haiti's transition from a repressive army to a civilian controlled police force.

A mere \$3.5 million pending release from the Appropriations and Foreign Relations Committees will help establish new Administration of Justice (AOJ) programs. The programs will train needed specialist such as prosecutors, detectives, judges, and especially anti-narcotic units.

The Haitian police made two large drug busts this month, one on a ship containing 83 kilos of cocaine. In an even bigger bust on August 22, the new Haitian police teamed up with the US Coast Guard to seize 348 kilos of cocaine. If the AOJ funds are held up, the next time these drugs might make it onto our streets. A hold on aid would deprive Haiti's nascent judicial system of resources needed to investigate not just the August 20 murders or these drug busts, but also the murders of thousands of democracy supporters who were killed during the years of the coup.

The investigation into those thousands of murders will be greatly assisted by the return of thousands of Haitian documents and photographs seized by US troops. The administration announced this week that these materials, taken from the headquarters of the army and the paramilitary group FRAPH, will be returned.

Democracy in Haiti has been under attack on many fronts. In fact, one source of instability may be from within our own borders. The Department of the Treasury has informed me of several recent cases of illegal arms shipments. One seizure of weapons yielded 260 guns and 14,900 rounds of ammunition. Another shipment in Miami included a load of pistols, shotguns, and another 15,000 rounds of ammunition. Treasury noted that many of these weapons are the same kind seized by US troops during the restoration of democracy.

I think it is no coincidence that these surreptitious shipments of arms have coincided with threats to democracy. Shortly after former army officer Andre Pierre Armand announced that certain political parties were stockpiling weapons to overthrow the government, he was assassinated in cold blood. Where have all these guns been going?

Aristide once defined his task as moving his country from poverty to dignity. President Preval's job is to move from hope to justice. I look forward to working with all of my colleagues here to help achieve that.

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STATEMENT OF REP. JOSEPH P. KENNEDY II
SEPTEMBER 27, 1996

Mr. Chairman,

On February 7th, 1996 the world witnessed the first democratic transition of power in Haiti. President Preval succeeded President Aristide after free and fair elections.

As we know democracy does not come easily. Our own history teaches us that a heavy price must be paid to secure its blessings.

The people of Haiti understand this lesson too. It took Haiti almost two centuries to achieve the democratic dream. During that time the Haitian people suffered through a series of brutal dictatorships whose lack of respect for basic human rights and the principles of freedom are well documented by this committee and other bodies, Mr. Chairman.

Now there is no doubt that the will of murderous dictators in Haiti has been replaced by the will of the people expressed in elections throughout the country.

The people of Haiti no longer fear the late night knock on the door from members of a brutal regime that ridicules principles of human rights. The Organization of American States, the Department of State, and Amnesty International agree that the human rights situation in Haiti has improved immeasurably.

And President Preval is continuing to take steps to improve this record. There have been allegations by the Republicans in Congress that the Presidential Palace in Haiti can be linked to about 20 political killings that have taken place in Haiti since Aristide was restored to power. During the 3 years of the coup regime, there were over 3000 political murders.

Preval has taken swift and decisive action to deal with the rogue elements within the Presidential security unit. Over the past year he has dismissed members of the Presidential security unit and police individuals allegedly involved in human rights abuses.

After the most recent incident on August 20th, Preval immediately dismissed suspect members of the Presidential security unit, and two dozen members of the State Department's diplomatic security force were dispatched to Haiti to aid Preval with security measures.

Preval has also taken significant and dramatic measures to address pressing economic issues in Haiti. Just last night the

Haitian Senate passed a landmark privatization bill. This bill, passed earlier by the lower chamber of parliament, will soon be signed into law by President Preval. It contains the same language the IMF and World Bank were urging Haiti to adopt.

In addition, this week the Haiti government successfully addressed the issue of civil service reform. With the privatization language and civil service reform approved, approximately \$170 million of international assistance -- \$15 million from the United States -- will be released to Haiti, helping its economy to build and grow.

Mr. Chairman, there is no doubt in my mind that the Haiti economy will grow. Since Preval took over Haiti has run its economy as a cash economy - spending only revenues, not borrowing money on the international market. Its austere fiscal and monetary policies indicative of the government's commitment to improving its economy.

Haiti continues to face a number of significant challenges. In the economic sector, it must start the process of privatization while addressing high unemployment and inflation. It must institutionalize the Haitian national police. It must reform its judicial system.

Preval has begun to address all of these issues. He has clearly shown his intolerance for human rights violations with his swift dismissal of rogue palace security guards. He will sign the privatization bill into law. And his reforms efforts will continue in the judicial system.

I believe that the United States has a special duty to ensure that this new and still fragile democracy is given the chance it deserves to flourish. I am proud that the U.S. has played a major role in the success we have witnessed so far in Haiti. We should do nothing which threatens to roll-back the gains of the last few years.

STATEMENT OF REP. DAN BURTON

Thank you very much, Mr. Chairman. Two years after the massive U.S. military operation in Haiti, we find ourselves still very deeply involved in the affairs of that country, with the outlook for the success of democracy there very much uncertain.

As we move closer to our own presidential election, the Clinton administration is desperate to put the best face possible on the situation in Haiti. This is not easy to do. We are witness to the continuing violence, and the disturbing indications of the involvement of Haitian officials in political murder.

It may be politically inconvenient, but decency and justice requires that we pay attention. Despite \$3 billion in U.S. spending on Haiti, once again we see a pattern of wrongdoing, of violence, and of official cover-up. Now we are sending diplomatic security personnel to protect President Preval because security agents that we trained turn out to have been involved in political murder.

I met President Preval. I believe he is sincere and that he wants to do the right thing. But he is submerged in a muck that he inherited, and that we helped to perpetuate.

A year ago, my subcommittee held a hearing on Haiti. The State Department's Haiti coordinator, Ambassador Dobbins sat in the witness chair and told members that he or the State Department had no knowledge about the murder of Ms. Bertin and who might be involved. We now know that this was completely untrue and that he was receiving regular briefings from the F.B.I.

This pattern of deception must stop, and we are determined to see to it that it does. This, at least, ought to be beyond politics.

Thank you.

STATEMENT OF
JOSEPH G. SULLIVAN
SPECIAL HAITI COORDINATOR
BEFORE THE HOUSE INTERNATIONAL RELATIONS COMMITTEE
SEPTEMBER 27, 1996

Mr. Chairman,

Thank you for the opportunity to appear before this committee to brief you on the recent actions we have taken to assist President Preval reform and retrain elements of the Presidential palace security unit. I would like to provide you an overview of our actions and underlying policy, and then my colleagues and I will be glad to respond to specific questions.

Haiti is a neighbor which for most of 200 years has not seen the effective application of the rule of law nor the development of effective institutions of government. Just two years ago, prior to the U.S.-led intervention, law enforcement and justice was virtually absent in Haiti. There was no police force and the Haitian Army was viewed as an enemy of the people. An uncontrolled outflow of thousands of Haitian migrants in unsafe vessels fleeing to the United States was under way. During the years of the de facto regime, over 58,000 Haitian migrants were interdicted by the U.S. Coast Guard.

But Haiti has moved away from this dismal scenario. We have seen concrete improvements. The uncontrolled outflow of migrants, which in fiscal year 1994 alone cost the U.S. Government about \$400 million, has ended and the illegal migrant flow was virtually zero over the past three months. President Aristide was restored to office. His elected successor, President Preval, is courageously implementing the economic reform measures needed to put the economy back on track, to encourage private investment and gain the assistance of the international financial institutions. The Army has been disbanded and a new civilian Haitian National Police has deployed 5,200 new officers selected in an open, apolitical, rigorous and competitive national process. Five of nine Department HNP Directors, senior management supervisors, have received training and have assumed their duties. Seventy three Commissaires, middle management supervisors, have completed their training and are gradually and selectively being assigned to the most critical posts to provide supervision to the HNP officers. Another 63 Commissaires awaiting assignment or completing training should be in the field in the next two months.

President Preval has taken steps to rid his government of individuals involved in or accused of human rights abuses, and he continues to focus on this issue. Despite these and other notable advances, challenges remain. The new security structures still lack experience and specialized technical training. The HNP is making definite progress, but it is an institution that still needs our help, like the other institutions of the fledgling Haitian democracy.

The problems of common crime and political violence aimed at destabilizing the Preval government have been recurrent challenges testing the HNP. Yet, even in the face of these formidable problems, it is clear that the level of political violence in Haiti has declined significantly. Human rights groups estimated that some 3,000 political murders took place during the 1991-1994 Haitian coup period. By comparison, since September 1994, these same groups estimate that there have been about two dozen execution-style killings in Haiti, in which a political motive appears possible. Any murder is one too many, but there have been clear improvements in a country with a long tradition of political violence.

This improvement reflects the fact that the democratically-elected governments have the support of the Haitian people and have sought to end pervasive human rights abuses.

Recently, Port au Prince has experienced a threat to civil order with attacks on government buildings, the murders of nine policemen since March, and rumors of coup and assassination plots, followed by the August 20 murders of opposition politicians Antoine Leroy and Jacques Fleurival. This spike in violence and indications that elements of the Presidential Security Unit were involved in the Leroy/Fleurival killings prompted President Preval to undertake a reorganization, vetting and retraining of the Presidential Security Unit and the National Palace Residential Guard. In order to insure that the security threat is confronted appropriately, the Haitian Government initiated a broad-based investigation into all recent incidents of violence. President Preval reiterated his conviction that there was no place in palace security for those linked to crime, corruption and the violation of human rights.

On August 30, National Security Advisor Anthony Lake, Deputy Secretary Strobe Talbott, and other administration officials traveled to Haiti to discuss, among other issues, our concerns about reports of official involvement in the August 20 murders and assistance we might provide to help President Preval carry out the vetting and re-organization of his palace security apparatus. Based upon his decision to reorganize the

presidential security unit, President Preval requested that the United States send a temporary deployment of security specialists to assist him in carrying out the reorganization and retraining of palace security. He announced publically on September 17, that he had already suspended the Director and Deputy Director of the palace security unit pending investigation of their possible involvement in the August 20 murders.

As you are aware, the U.S. Government provided assistance to the Government of Haiti under Section 552 (c) (2) of the Foreign Assistance Act. We have sent 20 Department of State and 12 Department of Defense civilian security personnel to assist the eight contract security personnel and two DS advisers already assigned to assist the Palace security unit. This augmented team of security personnel is assisting in providing security to President Preval, retraining palace security elements and training new personnel that will be assigned to the palace as a review and vetting of the current Haitian palace security agents is carried out.

Haiti still has many problems and there still are problems in instituting the rule of law and in assuring that the new security forces do not violate their mandate. What is very important is that when such violations occur, the Haitian Government be prepared to deal with them.

When the OAS/UN Civilian Mission in Haiti (MICIVIH) issued its report in July of this year and documented instances of human rights abuses by HNP personnel, the Police Inspector General undertook an investigation, suspending a number of agents, recommending dismissal of others and preparing submission of several cases for possible prosecution.

President Preval has unequivocally reiterated his determination to make the rule of law a reality for the Haitian people. The establishment of Haiti's first civilian, professional police force and the determination to end the systematic violation of human rights typical of the former Haitian security services are significant advances toward this goal. President Preval is determined to ensure that these advances are not undermined by criminal actions of any individuals in the security force. He is taking steps to address that problem and we are assisting in that effort.

The problems of inexperienced and inefficient police and judicial systems and political violence are not unique to Haiti. They are endemic to countries making the transition from authoritarian to democratic societies, and no country has had further to travel in this regard than Haiti. But, Haitian authorities have moved to deal with these problems with U.S. and international assistance. Haiti's police and security establishment remain inexperienced and ill equipped, but are advancing in the gradual process toward becoming the effective institution required for a functioning democracy.

We firmly believe that it is in our national interest to support President Preval as he continues work to build Haitian democracy and its institutions.

I want to note at the beginning of this testimony that I shall answer questions as fully as I can in open session. In those instances where classified information is involved I would be pleased to go into more detail in a closed session.

STATEMENT BY WILLIAM LACY SWING
BEFORE THE HOUSE INTERNATIONAL RELATIONS COMMITTEE
SEPTEMBER 27, 1996

Haiti-A Shared Concern

Thank you, Mr. Chairman and Members, for the honor of appearing before you today. (I have long believed that, as one confirmed by this body in accordance with Article I of the Constitution, I bear a particular and specific responsibility to keep the Congress informed; to answer its questions; and to address its concerns. I thank you for the opportunity to fulfill this responsibility once more today.)

The active and continuing interest of this committee in U.S.-Haiti policy is critical to its success. Therefore, if you have a concern, then we in the field implementing our policy also have a concern.

It has been my experience in Haiti that we have shared your concerns. We have also acted to address your concerns and criticisms in every instance I am aware of. Admittedly some of these have no immediate or even short-term solutions and our efforts may not always have borne the fruit you and we desired or expected.

On arrival in Haiti in 1993, I observed that Haiti had the weakest institutional, infrastructural, human resource and organizational capacity of any country I had served in since leaving Central Africa and Liberia a decade ago.

Haiti -- A Fallen but not Failed Society

When we speak of Haiti, we are not talking about a country which is likely to become a Connecticut, or even a Costa Rica, any time soon. Through decades of wrong-headed policies, and what I term "domestic colonialism" -- by a group, a family, or an institution such as the army -- Haiti has simply fallen too far (and too far behind) to expect that any effort other than a long-term policy can succeed in helping Haiti build a durable democracy, a modern economy, and a better life for Haiti's long-suffering, and incredibly patient, deserving people.

On the other hand, Haiti is not Liberia, or Somalia, or Rwanda or Burundi, where we have come to speak of "failed" societies.

What the Haitian people through their determination have done -- with critical U.S. leadership in the international community, including, I would add, this House -- is to create their best prospect in the past half-century to enjoy freedom, stability and justice.

Haiti -- A Credible, Irreversible Process

As Americans, we know as well as anyone that democracy is a process, not an event. That process is of course marked by key events such as elections or temporary crises such as are being examined today. (It has been my good fortune, others might say fate, to have served in five consecutive countries undergoing watershed societal transition. I shall not name these, as you would no doubt see that my batting average is not very high.)

My abiding optimism about Haiti, in the face of seemingly insurmountable challenges which constitute a veritable defiance of Haiti's own history, is based in part on my judgment that there is in place in Haiti today a transition process which is credible, transparent and increasingly irreversible.

While it's useful to take an analytical "snapshot" of Haiti, from time to time as events such as the recent violence demands that we do -- essentially the democratic transition process is dynamic, not static. As such, Haiti's transition process resembles a movie film more than a snapshot. Haiti is a work in progress.

Thus, while we can snap a photograph or even stop the film briefly to examine a particular frame, it is in recalling the beginning of the film and then allowing the reel to continue to roll that we can best put particular events in perspective. Only so can we accurately determine whether the trendline is positive or not. I happen to believe the trendline is positive, even though economic progress is slower than any of us would like, and there is veritably a crisis a day. Haiti is a country in which the needs are so great that it seems that no systems are go and everything is a priority on any given day.

This is only to say that on the historical continuum of change, Haiti is much earlier in its societal transition than many other countries such as, e.g., South Africa.

The cycle of violence which erupted in mid-August, including the broad daylight murder of two opposition politicians, is not unique to Haiti among societies in transition from decades of autocracy to democracy in which mistrust and stereotypes on all sides are slow to die.

What is unique in this instance is that the Haitian government and ours actually did something about it. We quickly recognized the threat this situation posed to the transition process, and we moved together quickly to fix it. (We could be having hearings today on why we did not act, had we not done so.)

Haiti -- A Long-Term, Worthwhile Investment

It should be, as I am sure it is, a matter of great pride to all of us as Americans that we now live in the most democratic region on the globe, with 34 of the 35 countries in our hemisphere actively embracing democracy. Haiti, happily, is part of that historic process in which this committee is an important actor.

As fragile and weak as it is, Haiti's fledgling democracy -- a country whose capital is closer to Miami than ours is -- will continue to need and deserve our support. This assistance is being provided today at a much lower cost to the American taxpayer than at any time in years, as our costs have continued to decline since our troops entered Haiti two years ago.

The Haitian Creole language is rich in expressions, texture and, above all, proverbs reflecting folk wisdom. One of these is particularly pertinent for today's Haiti:

"The constitution is made of paper; the bayonet of steel."

With our support, the Haitian people and their elected leaders are rewriting that proverb to read:

"The constitution is made of steel; the bayonet of paper."

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Feb 18, 1995
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ACTION ARA-01
INFO LOG-00 A10-01 AMAD-01 CIAE-00 DEAE-00 OASY-00 AMH2-01
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LAB-01 L-01 AOS-00 K-00 NSAE-00 OIC-02 OMA-01
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SSO-00 SS-00 STR-01 TPSE-00 T-00 USIE-00 PUB-00
OSCC-07 SSA4-03 PRME-01 PRMC-01 DRL-09 G-00 /O39%

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SECDEF WASHDC

SECTION 01 OF 02 PORT AU PRINCE 001190

DEPT. FOR S/SEC AMO. DODSINS
ALSO FOR APA/HAITI WORKING GROUP, AND DRL
F.O. 12356: DECL: OADR
TAGS: PHUM, POUV, MOVS, HA
SUBJECT: KILLINGS RAISE QUESTIONS ABOUT A PATTERN OF
-- ANTI-MILITARY AND ANTI-RIGHT-WING POLITICAL
-- VIOLENCE: NO TREND YET DISCERNIBLE

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REF: PORT AU PRINCE 1150

1. -- ENTIRE TEXT.
2. SUMMARY: FIVE RECENT KILLINGS AND ANOTHER LAST OCTOBER HAVE RAISED QUESTIONS ABOUT A TREND TOWARD ANTI-MILITARY, ANTI-RIGHT-WING POLITICAL VIOLENCE. WHILE THREE OF THE CASES WERE LIKELY POLITICAL ASSASSINATIONS, THE OTHER THREE APPEAR TO BE THE RESULT OF LOCAL DISPUTES. THE EMBASSY, THE INTERNATIONAL CIVILIAN MISSION (ICM) AND THE MULTINATIONAL FORCE ARE SENSITIVE TO THE POSSIBLE EMERGENCE OF A TREND TOWARD UNCHECKED POLITICAL VIOLENCE, AND WE WILL NOT HESITATE TO BRING THIS ISSUE TO THE ATTENTION OF THE GOM SHOULD ADDITIONAL EVIDENCE INDICATE SUCH A TREND. END SUMMARY
3. FOUR KILLINGS SO FAR IN THE MONTH OF FEBRUARY INVOLVING FORMER MEMBERS OF THE HAITIAN ARMED FORCES AND A RIGHT-WING POLITICAL OPERATIVE HAVE, AT FIRST GLANCE, RAISED QUESTIONS ABOUT A TREND TOWARD ANTI-MILITARY, ANTI-RIGHT-WING POLITICAL VIOLENCE. ALTHOUGH TWO OF THE KILLINGS HAVE THE HALLMARKS OF POLITICAL ASSASSINATIONS, INFORMATION CURRENTLY AVAILABLE TO US AND TO THE INTERNATIONAL CIVILIAN MISSION DOES NOT (REPEAT NOT) SUGGEST A CLEAR PATTERN.

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DEPARTMENT OF STATE	IS/EPC/CDR	Date: 7-19-96
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PA Exemptions		

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4. THE INCIDENTS:

(A) FEBRUARY 3 AT 9:50 P.M.

-- HAITIAN ARMY WARRANT OFFICER KEBREAU WAS SHOT FIVE TIMES IN THE HEAD AND CHEST WHILE DRINKING AT THE ZOOIAC

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 BAR IN RUE MARTISAN. AS A SARGEANT AT THE ANTI-GANG UNIT IN 1991, KEBREAU ARRESTED THEN-LTC. PIERRE CHERUBIN AND CONFISCATED HIS OFFICIAL VEHICLE. KEBREAU WAS CONTINUING TO DRIVE CHERUBIN'S FORMER VEHICLE AT THE TIME OF HIS DEATH. LOCAL RUMOR, NOT BACKED BY HARD EVIDENCE, SUGGESTS THAT KEBREAU WAS KILLED IN RETALIATION FOR HIS ARREST OF CHERUBIN.

(B) FEBRUARY 9 AT 12:30 P.M.

-- JEAN-ALBRUN TAYLOR, A RIGHT-WING POLITICAL ACTIVIST FROM CITE SOLEIL WAS SHOT FIVE TIMES WHILE STOPPED AT THE INTERSECTION OF ROUTE DE DELMAS AND DELMAS 29. A CAUCASIAN MALE PULLED ALONGSIDE TAYLOR AND SHOT HIM DOWN IN WHAT INTERNATIONAL POLICE MONITORS DESCRIBE AS A "GANGLAND-STYLE SLAYING."

(C) FEBRUARY 11 AT 8:00 P.M.

-- AT LIMBE, SOUTH OF CAP HAITIEN, INTERIM PUBLIC SECURITY FORCE MEMBER, LT. HENRI ANTOINE GARCIA, WAS ATTACKED AND SHOT IN THE HEAD AT THE IPSF OFFICE. HIS BODY WAS LATER FOUND PARTIALLY BURIED AND BURNED DOWN. A HAS INDICATED THAT GARCIA WAS MURDERED BY DISGRUNTLED FORMER AUXILIARY POLICE MEMBERS ANGERED BECAUSE THEY FAILED TO WIN ENTRANCE TO THE NATIONAL POLICE ACADEMY/SCHOOL.

(D) FEBRUARY 15 AT 2:07 P.M.

-- LTC. SYLVESTE PAUL, A RETIRED ARMY OFFICER, WAS STRUCK DOWN AND KILLED BY THREE MACHETE BLOWS TO HIS BACK AND NECK 50 YARDS FROM HIS HOME IN CITE SOLEIL.

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 NEIGHBORS DESCRIBED PAUL AS A FORMER MEMBER OF THE PARAMILITARY ORGANIZATION FRAPH AND NEIGHBORHOOD THUG WHO OPENLY DISPLAYED PHOTOS OF PEOPLE HE HAD KILLED. THE MOTIVE FOR PAUL'S KILLING APPARENTLY WAS REVENGE; NO SUSPECTS HAVE BEEN ARRESTED.

5. IN DISCUSSING THESE CASES WITH

MENTIONED TO US ANOTHER RECENT CASE WHICH IS INVESTIGATING. LOUIS SIMON BAPTISTE, AN EMPLOYEE OF DR. REGINALDO BOULOS, DIRECTOR GENERAL OF THE CENTER FOR DEVELOPMENT AND HEALTH (A LOCAL NGO), WAS MURDERED ON FEBRUARY 11. THREATS HAD BEEN MADE AGAINST BAPTISTE'S LIFE BECAUSE OF HIS ASSOCIATION WITH DR. BOULOS.

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RELIEVES THE KILLING WAS POLITICALLY MOTIVATED AND IS
SEEKING TO DEVELOP ADDITIONAL INFORMATION.

6. THE

6. THE EMBASSY IS ALSO AWARE OF A KILLING IN LATE
OCTOBER OF THE SON OF A RETIRED DUVALIERIST COLONEL OUBI
AT HIS FATHER'S RESTAURANT IN PETIONVILLE. WE ARE TOLD
THAT COL. OUBI WAS ACTIVE IN RIGHT-WING CAUSES DURING THE
COUP YEARS AND THAT THE KILLING OF HIS SON WAS
POLITICALLY MOTIVATED.

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ACTION ARA-UI

INFO	LOG-00	AIO-01	AMAD-01	CIAE-00	DEAE-00	JASY-00	ANHR-01
	OS-00	EB-01	H-01	TEDE-00	INR-00	INSE-00	IO-13
	LAB-01	L-01	AOS-00	M-00	NSAE-00	OIC-02	OMB-01
	PA-01	PM-00	PRS-01	P-01	SCT-00	SP-00	SR-00
	SSO-00	SS-00	STR-01	TRSE-00	T-00	USIE-00	PMB-00
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DEPT. FOR S/SHC AMB. DOBBINS

ALSO FOR ARA/HAITI WORKING GROUP, AND ORL

E.O. 12356: DECLASSIFIED

TAGS: PHUM, PGOV, MOPS, HA

SUBJECT: KILLINGS RAISE QUESTIONS ABOUT A PATTERN OF

-- ANTI-MILITARY AND ANTI-RIGHT-WING POLITICAL

-- VIOLENCE: NO TREND YET DISCERNIBLE

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HAS BEEN LINKED TO THIS KILLING.

1. COMMENT: THE KILLINGS OF

AND WERE PROBABLY POLITICAL ASSASSINATIONS. THE

DEATHS OF AND HAVE POLITICAL

OVERTONES *But* APPEAR TO BE THE RESULT OF LOCAL DISPUTES.

THE EMBASSY AND THE MNF HAVE CONCLUDED THAT THE

INFORMATION AVAILABLE TO US AT THIS POINT IS INSUFFICIENT

TO ESTABLISH A TREND OF ANTI-MILITARY, ANTI-RIGHT WING

POLITICAL VIOLENCE, BUT WE AND THE ICM ARE SENSITIVE TO

THIS POSSIBILITY AND WATCHING FOR A TREND. WE WILL NOT

HESITATE TO BRING THIS ISSUE TO THE ATTENTION OF THE

GOVERNMENT OF HAITI SHOULD ADDITIONAL EVIDENCE INDICATE

SUCH A TREND.

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95 PORT AU PRINCE 3640

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6. (U) WITH THE ASSISTANCE OF THE EMBASSY, THE BODY WAS MOVED TO THE UNMIL FIELD MORGUE FOR THE NIGHT. THE WIDOW DID NOT WANT THE BODY TAKEN TO THE MORGUE AT THE UNIVERSITY HOSPITAL AND IT CANNOT BE RELEASED TO A PRIVATE FUNERAL HOME UNTIL AFTER THE IPSF REPORT HAS BEEN FILED WITH THE COURT. UNCIVPOL AND CIO ARE COOPERATING IN THE INITIAL INQUIRIES.

AT THIS TIME, HOWEVER,

~~THERE ARE NO FIRM LEADS.~~

PAGE 04 PURT A 03640 232150Z
7. POST WILL REPORT ANY SIGNIFICANT DEVELOPMENTS IN THIS CASE. SWING

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PAGE 2

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95 PORT AU PRINCE 4774

07/12/96 113315 PRINTER: HG

Sep 1, 1995
PA P6276

(2) KILLINGS THE FBI INVESTIGATION OF THE BERTIN
----- ASSASSINATION IS AT A STANDSTILL DUE TO
LACK OF GOH COOPERATION. INDIVIDUALS AROUND THE
PRESIDENT WHO ARE THOUGHT TO BE IMPLICATED IN EXECUTION-
STYLE KILLINGS CONTINUE TO HOLD THEIR OFFICIAL AND QUASI-
OFFICIAL POSITIONS.

-- WE ARE NOT AWARE OF ANY EXECUTION-STYLE KILLINGS
DURING AUGUST. HOWEVER, A CLEAR RESULT OF THE FBI'S
WORK IS THAT THOSE DOING THE KILLING KNOW INVESTIGATORS
ARE ON TO THEM. MINISTER OF JUSTICE EXUME HAS AGREED TO
FIND AN INVESTIGATOR/PROSECUTOR OPTION WHICH CAN BE
IMPLEMENTED CONSISTENT WITH HAITIAN LAW AND JUDICIAL
PROCEDURE.

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United States Department of State

Washington, D.C. 20520

August 16, 1996

A-17
RMEMORANDUM TO THE DEPUTY SECRETARY

Strobe:

Attached at Tab 1 is the Reuters story which followed on Novak's piece, and put it in a useful perspective.

At Tab 2 is another positive Reuters story reporting specifically on deployment of the HNF.

At Tab 3 is our press guidance on the Novak article.

I suggest the line to take is:

-- There has been a limited number of what would appear to be revenge-motivated killings, of which Bertin's is the most prominent. Up to 20 cases might fall in this category, although most would place the number lower.

-- None of these killings were linked to the elections, or to current Haitian politics.

-- After a brutal coup and three years of repression, in which 5,000 people were murdered, nearly everyone expected a much higher level of retributive violence. President Aristide's campaign of reconciliation and the very effective work of US and UN forces have combined to forestall that eventuality.

-- We are nevertheless concerned about the retributive violence which may be occurring. We are using every available means to look into it. The UN and OAS are also doing so. Finally, we are building Haitian capacity to investigate and deal with crimes like these as fast as humanly possible.

James F. Dobbins
James F. Dobbins

Tab 1 - Reuters story.

Tab 2 - Reuters story.

Tab 3 - Press guidance.

DEPARTMENT OF STATE	ISIFC/JCR	Date: 7-13-96
MR Cases Only:	EO Citations	TS authority to:
() DECLASSIFY	() DECLASSIFY	() CLASSIFY as
() EXCISE	() EXCISE	() DOWNGRADE TS to
() DENY	() DENY	() IS or
() DELETE Non-Responsive Info	() DELETE Non-Responsive Info	() C
FOIA Exemptions		

Question 1

Since the creation of the Presidential Security Unit (PSU), what are the total amounts expended by the U.S. Government (either directly or through contractors)? Please list expenditures for each fiscal year since the establishment of the PSU program as well as a functional breakdown of these expenditures.

Answer

Funds expended and/or obligated from 10/4/94 through 11/30/96 for Protective Services, by functional breakdown:

<u>FY 1995</u>	
*MVM Contract	\$3,863,547.59
**PSAU expenses	<u>\$ 273,886.06</u>
Subtotal, 1995	\$4,137,433.65
 <u>FY 1996</u>	
MVM Contract	\$1,215,802.64
PSAU expenses	<u>\$ 104,770.93</u>
Subtotal, 1996	\$1,320,573.57

TOTAL:	<u>\$5,458,007.22</u>
--------	-----------------------

Inventory Equipment	\$670,445.95
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- NOTE 1) Above does not include salaries for Bureau of Diplomatic Security (DS) special agents assigned to the DS Presidential Security Advisory Unit (PSAU) in Port-au-Prince, Haiti.
- NOTE 2) Above funds consist of AID's Economic Support/Peacekeeping funds and Diplomatic and Consular funds. Funds were provided on a reimbursable basis -- thus far, approximately \$2.1 million has been reimbursed by the Government of Haiti.
- NOTE 3) In late FY 1993, AID provided \$347,000 (not included above) for preliminary Haitian protective security training for the Presidential Security Unit being established to protect returning President Aristide. This training was conducted by DS at the DS Training Center in Virginia.

*MVM Protective Services (Contract)

**DS Presidential Security Advisory Unit (DS Special Agents)

Question 2a

How many PSU personnel have been trained since the establishment of the program?

Answer

During the period from August through November, 1993, the DS Training Center trained 63 Haitian nationals in protective security techniques. Since Aristide's return to power in 1994 DS has trained approximately 50 more. Of these, 85 are still employed to protect President Preval, former President Aristide and Mrs. Aristide.

Question 2b

In what disciplines have they received training?

Answer

The PSU personnel have received training in the general subject matter of VIP Protective Security (PRS). The program was designed for personnel responsible for the protection of dignitaries. The course is appropriate for operational, training, and staff personnel.

Course Description

The course teaches techniques of providing security and safety for dignitaries. The objective of the course is to provide participants with a thorough understanding of all tactical aspects of dignitary protection skills necessary to protect national leaders/heads of state from assassination, armed assault, and other types of terrorist or criminal attacks. At the conclusion of the course the participants should be able to:

- * Develop pre-incident observation and threat avoidance skills.
- * Describe the concepts of dignitary protection and conduct protective planning.
- * Describe the organization, duties and responsibilities of a protective detail.
- * Perform defensive tactics and arrest procedures.
- * Plan, organize and conduct route analysis and selection, and motorcade operations.
- * Perform defensive driving maneuvers and various car drills.
- * Conduct active and passive countersurveillance to identify hostile surveillance.
- * Conduct advance protective security surveys.
- * Search persons, buildings, and vehicles for weapons and bombs.
- * Effectively use security posts and identifications systems.
- * Perform basic first aid skills necessary to stabilize a life-threatening injury.
- * Serve as member of a protective detail for a threatened principal.
- * Plan, organize and operate as a member of a tactical support team.
- * Demonstrate proficiency in firearm use.

QUESTION 2c

What role did U.S. Government Personnel have in the selection and training of the PSU recruits?

Answer

All prospective PSU agents were proposed by former President Aristide or President Preval. They were vetted for at least human rights violations through the embassy and some were required to pass physical and medical tests at the request of PSAU. See above for training.

Question 3

What role, if any, do United State Government personnel have in the oversight of daily PSU operations and PSU senior staff?

Answer

The Bureau of Diplomatic Security (DS) currently has two special agents assigned to the Presidential Security Advisory Unit (PSAU) in Haiti. The senior DS agent serves as the PSAU Chief and is responsible for supervising the second DS agent and nine American citizen MVM contract security personnel, as well as providing advice and coordinating training for the Haitian PSU agents.



OFFICE OF THE UNDER SECRETARY OF DEFENSE
2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000



POLICY

The Honorable Benjamin A. Gilman
Chairman, Committee on International Relations
United States House of Representatives
Washington, D.C. 20515

22 JAN 1997

Dear Congressman Gilman:

I am responding on behalf of Secretary Perry to your letter of January 8, 1997, concerning cost data on periodic deployment of U.S. forces to Haiti as part of training exercises. It our understanding that the question was posed to U.S. Ambassador to Haiti William Swing during the committee's hearing held September 27, 1996.

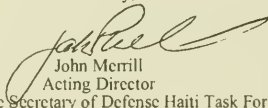
Your letter notes that "according to the State Department, the Defense Department was asked to generate this information soon after our September 27, 1996, hearing, but this information has not been forthcoming." The Defense Department regrets both the delay the committee has experienced in obtaining the needed data and the misimpression it has acquired that such delay was the result of inaction by DoD. In an effort to prevent such incidents from recurring, we have investigated our records and learned the following:

- Inexplicably, the committee's question was not referred to DoD by the State Department until November 22, 1996, nearly two months after the hearing. Assurances that the question was promptly referred to this department are simply inaccurate.
- Our response was provided to the Department of State on December 9, 1996, roughly two weeks after having been received. We are at a loss to explain why the information we provided was not then forwarded on to the committee.

In seeking to respond to the committee's question, we have learned that data are not separately collected on Haiti operations. Moreover, cost data for the period in question (April, 1996-September, 1996) do not isolate prior operations, consequently data may include adjustments or obligations for activities which occurred prior to April, 1996. With those provisos in mind, we estimate that the increment cost of the periodic deployments through September 30, 1996, to have been approximately \$13 million.

A more detailed response, suitable for insertion in the hearing record, is provided in the enclosure.

Sincerely,


John Merrill
Acting Director

Office of the Secretary of Defense Haiti Task Force

Enclosure: a/s



Committee:
Hearing Date:
Subject: Haiti Costs
Insert (Page 127, Line 3024):

The information follows:

Since April, the Department has deployed engineering and medical units to Haiti for training purposes, with some humanitarian assistance as a side result. In addition, the Army, as executive agent, has maintained an office in Haiti in support of these training missions. With the end of the contingency operations in Haiti, the Department has not maintained separate accounting and cost data on these normal training activities. Therefore an exact value cannot be given in answer to your question. Based on the best information available, the Military Components estimate the incremental cost of these activities to be approximately \$13 million through September 30, 1996.



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